This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

Bt from Dap

2257 e. 236/1

21 Coloured Pictures

2 vols I 1/-

460

£3/10/-

Ridley sc.

Rt. Hon.ble Edmund. Burke.

Pub. by Vernor & Hood, Poultry, 4. June 1805

Junius

STAT NOMINIS UMBRA

Vol: 1.

PRINTED BY T. BENSLEY
for Vernor and Hood Poultry.
June 1 1805.

BODLEIAN
P
13 SEP 1960
LIBRARY

JUNIUS.

STAT NOMINIS UMBRA.

A NEW EDITION.

VOL. I.

LONDON:

PRINTED BY T. BENSLEY, BOLT COURT;

FOR VERNOR & HOOD, J. WALKER, CUTHELL & MARTIN, W. J. & J. RICHARDSON, LACKINGTON, ALLEN, & CO. LONGMAN, REES, HURST, & ORME, W. OTRIDGE & SON, R. FAULDER, OGILVY & SON, W. STEWART, & JORDAN & MAXWELL

1805.

BODLEIAN
P
13 SEP 1960
LIBRARY

DEDICATION

TO THE

ENGLISH NATION.

I DEDICATE to you a collection of Letters written by one of yourselves for the common benefit of us all. They would never have grown to this size without your continued encouragement and applause. To me they originally owe nothing but a healthy, sanguine constitution. Under your care they have thriven. To you they are indebted for whatever strength or beauty they possess. When Kings and ministers are forgotten, when the force and direction of personal satire is no longer understood, and when measures are only felt in their remotest consequences, this book will, I believe, be found to contain principles worthy to be transmitted to posterity. When you leave the unimpaired, hereditary freehold to your children, you do but half your duty. Both liberty and property are preca-

rious, unless the possessors have sense and spirit enough to defend them. This is not the language of vanity. If I am a vain man, my gratification lies within a narrow circle. I am the sole depositary of my own secret, and it shall perish with me.

If an honest, and I may truly affirm a laborious, zeal for the public service has given me any weight in your esteem, let me exhort and conjure you never to suffer an invasion of your political constitution, however minute the instance may appear, to pass by, without a determined persevering resistance. One precedent creates another. They soon accumulate, and constitute law. What yesterday was fact, to day is doctrine. Examples are supposed to justify the most dangerous measures, and where they do not suit exactly, the defect is supplied by analogy. Be assured that the laws which protect us in our civil rights, grow out of the constitution, and that they must fall or flourish with it. This is not the cause of faction, or of party, or of any individual, but the common interest of every man in Britain. Although the King should continue to support his present system of government, the period is not very distant at which you will have the means of redress in your own power. It may be nearer perhaps than any of us expect, and I would warn you to be prepared for it. The King may possibly be advised to dissolve the present parliament a year or two before it expires of course, and precipitate a new election,

in hopes of taking the nation by surprise. If such a measure be in agitation, this very caution may defeat or prevent it.

I cannot doubt that you will unanimously assert the freedom of election, and vindicate your exclusive right to choose your representatives. But other questions have been started, on which your determination should be equally clear and unanimous. Let it be impressed upon your minds, let it be instilled into your children, that the liberty of the press is the palladium of all the civil, political, and religious rights of an Englishman, and that the right of juries to return a general verdict, in all cases whatsoever, is an essential part of our constitution, not to be controlled or limited by the judges, nor in any shape questionable by the legislature. The power of King, Lords, and Commons, is not an arbitrary power.[a] They are the trustees, not the owners, of the estate. The fee-simple is in us. They cannot alienate, they cannot waste. When we say that the legislature is supreme, we mean that it is the highest power known to the constitution; that it is the highest in comparison with the other subordinate powers established by the laws. In this sense the word supreme is relative, not absolute. The power of the legislature is limited, not only by the general rules of natural justice, and the welfare of the community, but by the forms and principles of our particular constitution. If this

doctrine be not true, we must admit that King, Lords, and Commons, have no rule to direct their resolutions, but merely their own will and pleasure. They might unite the legislative and executive power in the same hands, and dissolve the constitution by an act of parliament. But I am persuaded you will not leave it to the choice of seven hundred persons, notoriously corrupted by the crown, whether seven millions of their equals shall be freemen or slaves. The certainty of forfeiting their own rights, when they sacrifice those of the nation, is no check to a brutal degenerate mind. Without insisting upon the extravagant concession made to Harry the eighth, there are instances, in the history of other countries, of a formal, deliberate surrender of the public liberty into the hands of the sovereign. If England does not share the same fate, it is because we have better resources than in the virtue of either house of parliament.

I said that the liberty of the press is the palladium of all your rights, and that the right of the juries to return a general verdict is part of your constitution. To preserve the whole system, you must correct your legislature. With regard to any influence of the constituent over the conduct of the representative, there is little difference between a seat in parliament for seven years and a seat for life. The prospect of your resentment is too remote; and although the last session of a septennial parliament

be usually employed in courting the favour of the people, consider that, at this rate, your representatives have six years for offence, and but one for atonement. A death-bed repentance seldom reaches to restitution. If you reflect that in the changes of administration which have marked and disgraced the present reign, although your warmest patriots have in their turn been invested with the lawful and unlawful authority of the crown, and though other reliefs or improvements have been held forth to the people, yet that no one man in office has ever promoted or encouraged a bill for shortening the duration of parliaments, but that (whoever was minister) the opposition to this measure, ever since the septennial act passed, has been constant and uniform on the part of government. You cannot but conclude, without the possibility of a doubt, that long parliaments are the foundation of the undue influence of the crown. This influence answers every purpose of arbitrary power to the crown, with an expence and oppression to the people which would be unnecessary in an arbitrary government. The best of our ministers find it the easiest and most compendious mode of conducting the King's affairs; and all ministers have a general interest in adhering to a system which of itself is sufficient to support them in office, without any assistance from personal virtue, popularity, labour, abilities, or experience. It promises every gratification to avarice and ambition, and secures impunity. These are truths un-

questionable. If they make no impression, it is because they are too vulgar and notorious. But the inattention or indifference of the nation has continued too long. You are roused at last to a sense of your danger. The remedy will soon be in your power. If Junius lives, you shall often be reminded of it. If, when the opportunity presents itself, you neglect to do your duty to yourselves and to posterity, to God and to your country, I shall have one consolation left, in common with the meanest and basest of mankind—Civil liberty may still last the life of

JUNIUS.

PREFACE.

THIS edition contains all the letters of Junius, Philo Junius, and of Sir William Draper and Mr. Horne to Junius, with their respective dates, and, according to the order in which they appeared in the Public Advertiser. The auxiliary part of Philo Junius was indispensably necessary to defend or explain particular passages in Junius, in answer to plausible objections; but the subordinate character is never guilty of the indecorum of praising his principal. The fraud was innocent, and I always intended to explain it. The notes will be found not only useful, but necessary. References to facts not generally known, or allusions to the current report or opinion of the day, are in a little time unintelligible. Yet the reader will not find himself overloaded with explanations. I was not born to be a commentator, even upon my own works.

It remains to say a few words upon the liberty of the press. The daring spirit by which these letters are supposed to be distinguished, seems to require that something serious should be said in their defence. I am no lawyer by profession, nor do I pretend to be more deeply read than every English gentleman should be in the laws of his country. If, therefore, the principles I maintain are truly constitutional, I shall not think myself answered, though I should be convicted of a mistake in terms, or of misapplying the language of the law. I speak to the plain understanding of the people, and appeal to their honest, liberal construction of me.

Good men, to whom alone I address myself, appear to me to consult their piety as little as their judgment and experience, when they admit the great and essential advantages accruing to society from the freedom of the press, yet indulge themselves in peevish or passionate exclamations against the abuses of it. Betraying an unreasonable expectation of benefits, pure, and intire, from any human institution, they in effect arraign the goodness of Providence, and confess that they are dissatisfied with the common lot of humanity. In the present instance they really create to their own minds, or greatly exaggerate the evil they complain of. The laws of England provide, as effectually as any human laws can do, for the protection of the subject, in his reputation, as well as in his person and property. If

the characters of private men are insulted or injured, a double remedy is open to them, by action and indictment. If, through indolence, false shame, or indifference, they will not appeal to the laws of their country, they fail in their duty to society, and are unjust to themselves. If, from an unwarrantable distrust of the integrity of juries, they would wish to obtain justice by any mode of proceeding more summary than a trial by their peers, I do not scruple to affirm, that they are in effect greater enemies to themselves than to the libeller they prosecute.

With regard to strictures upon the characters of men in office and the measures of government, the case is a little different. A considerable latitude must be allowed in the discussion of public affairs, or the liberty of the press will be of no benefit to society. As the indulgence of private malice and personal slander should be checked and resisted by every legal means, so a constant examination into the characters and conduct of ministers and magistrates should be equally promoted and encouraged. They who conceive that our newspapers are no restraint upon bad men, or impediment to the execution of bad measures, know nothing of this country. In that state of abandoned servility and prostitution to which the undue influence of the crown has reduced the other branches of the legislature, our ministers and magistrates have in reality little punishment to fear, and few difficulties to contend

with, beyond the censure of the press, and the spirit of resistance which it excites among the people. While this censorial power is maintained, to speak in the words of a most ingenious foreigner, both minister and magistrate is compelled, in almost every instance, to choose between his duty and his reputation. A dilemma of this kind, perpetually before him, will not indeed work a miracle upon his heart, but it will assuredly operate, in some degree, upon his conduct. At all events, these are not times to admit of any relaxation in the little discipline we have left.

But it is alledged, that the licentiousness of the press is carried beyond all bounds of decency and truth;—that our excellent ministers are continually exposed to the public hatred or derision;—that, in prosecutions for libels on government, juries are partial to the popular side; and that, in the most flagrant cases, a verdict cannot be obtained for the King. If the premises were admitted, I should deny the conclusion. It is not true that the temper of the times has in general an undue influence over the conduct of juries. On the contrary, many signal instances may be produced of verdicts returned for the King, when the inclinations of the people led strongly to an undistinguished opposition to government. Witness the cases of Mr. Wilkes and Mr. Almon.—In the late prosecutions of the printers of my address to a great personage, the ju-

ries were never fairly dealt with. Lord Chief Justice Mansfield, conscious that the paper in question contained no treasonable or libellous matter, and that the severest parts of it, however painful to the King, or offensive to his servants, were strictly true, would fain have restricted the jury to the finding of special facts, which, as to guilty or not guilty, were merely indifferent. This particular motive, combined with his general purpose to contract the power of juries, will account for the charge he delivered in Woodfall's trial. He told the jury, in so many words, that they had nothing to determine except the fact of printing and publishing, and whether or no the blanks, or inuendoes, were properly filled up in the information; but that, whether the defendant had committed a crime or not, was no matter of consideration to twelve men who yet upon their oaths, were to pronounce their peer guilty or not guilty. When we hear such nonsense delivered from the bench, and find it supported by a laboured train of sophistry which a plain understanding is unable to follow, and which an unlearned jury, however it may shock their reason, cannot be supposed qualified to refute, can it be wondered that they should return a verdict perplexed, absurd, or imperfect? Lord Mansfield has not yet explained to the world why he accepted of a verdict which the court afterwards set aside as illegal, and which, as it took no notice of the inuendoes, did not even correspond with his own charge. If

he had known his duty he should have sent the jury back. I speak advisedly, and am well assured that no lawyer of character in Westminster-hall will contradict me. To shew the falsehood of Lord Mansfield's doctrine, it is not necessary to enter into the merits of the paper which produced the trial. If every line of it were treason, his charge to the jury would still be false, absurd, illegal, and unconstitutional. If I stated the merits of my letter to the King, I should imitate Lord Mansfield,[b] and travel out of the record. When law and reason speak plainly, we do not want authority to direct our understandings. Yet, for the honour of the profession, I am content to oppose one lawyer to another, especially when it happens that the King's Attorney General has virtually disclaimed the doctrine by which the Chief Justice meant to insure success to the prosecution. The opinion of the plaintiff's counsel (however it may be otherwise insignificant) is weighty in the scale of the defendant. My Lord Chief Justice De Grey, who filed the information ex officio, is directly with me. If he had concurred in Lord Mansfield's doctrine, the trial must have been a very short one. The facts were either admitted by Mr. Woodfall's counsel, or easily proved to the satisfaction of the jury. But Mr. De Grey, far from thinking he should acquit himself of his duty by barely proving the facts, entered largely, and I confess not without ability, into the demerits of the paper which he called a seditious libel. He

dwelt but light upon those points which (according to Lord Mansfield) were the only matter of consideration to the jury. The criminal intent, the libellous matter, the pernicious tendency of the paper itself, were the topics on which he principally insisted, and of which, for more than an hour, he tortured his faculties to convince the jury. If he agreed in opinion with Lord Mansfield, his discourse was impertinent, ridiculous, and unreasonable. But understanding the law as I do, what he said was at least consistent and to the purpose.

If any honest man should still be inclined to leave the construction of libels to the court, I would intreat him to consider what a dreadful complication of hardships he imposes upon his fellow subject. In the first place, the prosecution commences by information of an officer of the crown, not by the regular constitutional mode of indictment before a grand jury. As the fact is usually admitted, or in general can easily be proved, the office of the petty jury is nugatory. The court then judges of the nature and extent of the offence, and determines ad arbitrium, the quantum of the punishment, from a small fine to a heavy one, to repeated whipping, to pillory, and unlimited imprisonment. Cutting off ears and noses might still be inflicted by a resolute judge; but I will be candid enough to suppose that penalties, so apparently shocking to humanity, would not be hazarded in these times. In all other

criminal prosecutions the jury decides upon the fact and the crime in one word, and the court pronounces a certain sentence, which is the sentence of the law, not of the judge. If Lord Mansfield's doctrine be received, the jury must either find a verdict of acquittal, contrary to evidence (which, I can conceive, might be done by very conscientious men, rather than trust a fellow creature to Lord Mansfield's mercy,) or they must leave to the court two offices, never but in this instance united, of finding guilty, and awarding punishment.

But, says this honest Lord Chief Justice, 'If the 'paper be not criminal, the defendant' (though found guilty by his peers) 'is in no danger, for he 'may move the court in arrest of judgment.' True, my good Lord, but who is to determine upon the motion? Is not the court still to decide, whether judgment shall be entered up or not; and is not the defendant this way as effectually deprived of judgment by his peers as if he were tried in a court of civil law, or in the chambers of the inquisition? It is you, my Lord, who then try the crime, not the jury. As to the probable effect of the motion in arrest of judgment, I shall only observe, that no reasonable man would be so eager to possess himself of the invidious power of inflicting punishment, if he were not pre-determined to make use of it.

Again; We are told that judge and jury have a

distinct office; that the jury is to find the fact, and the judge to deliver the law. De jure respondent judices, de facto jurati. The dictum is true, though not in the sense given to it by Lord Mansfield. The jury are undoubtedly to determine the fact, that is, whether the defendant did or did not commit the crime charged against him. The judge pronounces the sentence annexed by law to that fact so found; and if, in the course of the trial, any question of law arises, both the counsel and the jury must, of necessity, appeal to the judge, and leave it to his decision. An exception or plea in bar may be allowed by the court; but, when issue is joined, and the jury have received their charge, it is not possible, in the nature of things, for them to separate the law from the fact, unless they think proper to return a special verdict.

It has also been alledged that, although a common jury are sufficient to determine a plain matter of fact, they are not qualified to comprehend the meaning, or to judge of the tendency, of a seditious libel. In answer to this objection (which, if well founded, would ...ve nothing as to the strict right of returning a general verdict), I might safely deny the truth of the assertion. Englishmen of that rank from which juries are usually taken, are not so illiterate as (to serve a particular purpose) they are now represented. Or, admitting the fact, let a special jury be summoned in all cases of difficulty and

importance, and the objection is removed. But the truth is, that if a paper, supposed to be a libel upon government, be so obscurely worded, that twelve common men cannot possibly see the seditious meaning and tendency of it, it is in effect no libel. It cannot inflame the minds of the people, nor alienate their affections from government; for they no more understand what it means, than if it were published in a language unknown to them.

Upon the whole matter it appears, to my understanding, clear beyond a doubt, that if, in any future prosecution for a seditious libel, the jury should bring in a verdict of acquittal not warranted by the evidence, it will be owing to the false and absurd doctrines laid down by Lord Mansfield. Disgusted at the odious artifices made use of by the judge to mislead and perplex them, guarded against his sophistry, and convinced of the falsehood of his assertions, they may perhaps determine to thwart his detestable purpose, and defeat him at any rate. To him at least they will do substantial justice. Whereas, if the whole charge, laid in the information, be fairly and honestly submitted to the jury, there is no reason whatsoever to presume that twelve men, upon their oaths, will not decide impartially between the King and the defendant. The numerous instances, in our state trials, of verdicts recovered for the King, sufficiently refute the false and scandalous imputations thrown by the abettors of Lord

Mansfield upon the integrity of juries. But even admitting the supposition that, in times of universal discontent, arising from the notorious maladministration of public affairs, a seditious writer should escape punishment, it makes nothing against my general argument. If juries are fallible, to what other tribunal shall we appeal? If juries cannot safely be trusted, shall we unite the offices of judge and jury, so wisely divided by the constitution, and trust implicitly to Lord Mansfield? Are the judges of the court of King's Bench more likely to be unbiassed and impartial, than twelve yeomen, burgesses, or gentlemen, taken indifferently from the county at large? Or, in short, shall there be no decision until we have instituted a tribunal from which no possible abuse or inconvenience whatsoever can arise? If I am not grossly mistaken, these questions carry a decisive answer along with them.

Having cleared the freedom of the press from a restraint equally unnecessary and illegal, I return to the use which has been made of it in the present publication.

National reflections, I confess, are not justified in theory, nor upon any general principles. To know how well they are deserved, and how justly they have been applied, we must have the evidence of facts before us. We must be conversant with the Scots in private life, and observe their principles of

acting to us, and to each other; the characteristic prudence, the selfish nationality, the indefatigable smile, the persevering assiduity, the everlasting profession of a discreet and moderate resentment. If the instance were not too important for an experiment, it might not be amiss to confide a little in their integrity. Without any abstract reasoning upon causes and effects, we shall soon be convinced by experience, that the Scots, transplanted from their own country, are always a distinct and separate body from the people who receive them. In other settlements, they only love themselves; in England they cordially love themselves, and as cordially hate their neighbours. For the remainder of their good qualities, I must appeal to the reader's observation, unless he will accept of my Lord Barrington's authority. In a letter to the late Lord Melcombe, published by Mr. Lee, he expresses himself with a truth and accuracy not very common in his Lordship's lucubrations. 'And Cockburne, like most of 'his countrymen, is as abject to those above him as 'he is insolent to those below him.' I am far from meaning to impeach the articles of the union. If the true spirit of those articles were religiously adhered to, we should not see such a multitude of Scotch commoners in the Lower House, as representatives of English boroughs, while not a single Scotch borough is ever represented by an Englishman. We should not see English peerages given to Scotch ladies, or to the elder sons of Scotch peers,

and the number of sixteen doubled and trebled by a scandalous evasion of the act of union. If it should ever be thought advisable to dissolve an act, the violation or observance of which is invariably directed by the advantage and interest of the Scots, I shall say very sincerely with Sir Edward Coke, 'When poor England stood alone, and had not 'the access of another kingdom, and yet had more 'and as potent enemies as it now hath, yet the 'King of England prevailed.'

Some opinion may now be expected from me upon a point of equal delicacy to the writer, and hazard to the printer. When the character of the chief magistrate is in question, more must be understood, than may safely be expressed. If it be really a part of our constitution, and not a mere dictum of the law, 'that the King can do no wrong,' it is not the only instance, in the wisest of human institutions, where theory is at variance with practice. That the Sovereign of this country is not amenable to any form of trial known to the laws, is unquestionable. But exemption from punishment is a singular privilege annexed to the royal character, and no way excludes the possibility of deserving it. How long, and to what extent a King of England may be protected by the forms, when he violates the spirit of the constitution, deserves to be considered. A mistake in this matter proved fatal to Charles and his son. For my own part, far from

thinking that the King can do no wrong, far from suffering myself to be deterred or imposed upon by the language of forms, in opposition to the substantial evidence of truth, if it were my misfortune to live under the inauspicious reign of a prince, whose whole life was employed in one base, contemptible struggle with the free spirit of his people, or in the detestable endeavour to corrupt their moral principles, I would not scruple to declare to him, 'Sir, 'You alone are the author of the greatest wrong 'to your subjects and to yourself. Instead of reign-'ing in the hearts of your people, instead of com-'manding their lives and fortunes through the me-'dium of their affections, has not the strength of 'the Crown, whether influence or prerogative, been 'uniformly exerted, for eleven years together, to 'support a narrow pitiful system of government, 'which defeats itself, and answers no one purpose 'of real power, profit, or personal satisfaction, to 'You? With the greatest unappropriated revenue 'of any prince in Europe, have we not seen You 'reduced to such vile and sordid distresses, as would 'have conducted any other man to a prison? With 'a great military, and the greatest naval power in 'the known world, have not foreign nations re-'peatedly insulted you with impunity? Is it not 'notorious that the vast revenues, extorted from 'the labour and industry of your subjects, and giv-'en You to do honour to Yourself and to the na-'tion, are dissipated in corrupting their representa-

'tives? Are You a prince of the House of Hano-
'ver, and do You exclude all the leading whig fa-
'milies from your councils? Do you profess to go-
'vern according to law, and is it consistent with
'that profession, to impart your confidence and af-
'fection to those men only who, though now per-
'haps detached from the desperate cause of the Pre-
'tender, are marked in this country by an heredi-
'tary attachment to high and arbitrary principles
'of government? Are you so infatuated as to take
'the sense of your people from the representation
'of ministers, or from the shouts of a mob, notori-
'ously hired to surround your coach, or stationed
'at a theatre? And if You are, in reality, that pub-
'lic man, that King, that Magistrate, which these
'questions suppose You to be, is it any answer to
'your people, to say that, among your domestics
'You are good-humoured, that to one lady you are
'faithful; that to your children You are indulgent?
'Sir, the man who addresses You in these terms is
'your best friend. He would willingly hazard his
'life in defence of your title to the Crown; and, if
'power be your object, will still shew You how pos-
'sible it is for a King of England, by the noblest
'means, to be the most absolute prince in Europe.
'You have no enemies, Sir, but those who persuade
'You to aim at power without right, and who
'think it flattery to tell You that the character
'of King dissolves the natural relation between
'guilt and punishment.'

I cannot conceive that there is a heart so callous, or an understanding so depraved, as to attend to a discourse of this nature, and not to feel the force of it. But where is the man, among those who have access to the closet, resolute and honest enough to deliver it? The liberty of the press is our only resource. It will command an audience when every honest man in the kingdom is excluded. This glorious privilege may be a security to the King, as well as a resource to his people. Had there been no star-chamber, there would have been no rebellion against Charles the First. The constant censure and admonition of the press would have corrected his conduct, prevented a civil war, and saved him from an ignominious death. I am no friend to the doctrine of precedents exclusive of right, though lawyers often tell us, that whatever has been once done, may lawfully be done again.

I shall conclude this preface with a quotation, applicable to the subject, from a foreign [d] writer, whose essay on the English constitution I beg leave to recommend to the public as a performance deep, solid, and ingenious.

'In short, whoever considers what it is that 'constitutes the moving principle of what we call 'great affairs, and the invincible sensibility of man 'to the opinion of his fellow-creatures, will not he-'sitate to affirm, that, if it were possible for the li-

'berty of the press to exist in a despotic govern-
'ment, and (what is not less difficult) for it to exist
'without changing the constitution, this liberty
'of the press would alone form a counterpoise to
'the power of the prince. If, for example, in an
'empire of the East, a sanctuary could be found,
'which, rendered respectable by the ancient reli-
'gion of the people, might insure safety to those
'who should bring thither their observations of any
'kind; and that from thence printed papers should
'issue which, under a certain seal, might be equally
'respected; and which, in their daily appearance,
'should examine, and freely discuss, the conduct of
'the Cadis, the Bashaws, the Vizir, the Divan, and
'the Sultan himself, that would introduce immedi-
'ately some degree of liberty.'

CONTENTS

TO

VOLUME THE FIRST.

Page

DEDICATION to the ENGLISH NATION iii

PREFACE ix

Letter

1. JUNIUS to the Printer of the Public Advertiser 1
2. Sir WILLIAM DRAPER's answer to the former letter of Junius, addressed to the Printer 14
3. JUNIUS to Sir WILLIAM DRAPER 21
4. Sir WILLIAM DRAPER to JUNIUS 28
5. To Sir WILLIAM DRAPER 36
6. To JUNIUS from Sir WILLIAM DRAPER 40
7. To Sir WILLIAM DRAPER 42
8. To the Duke of GRAFTON 45
9. To his Grace the Duke of GRAFTON ... 50
10. To Mr. EDWARD WESTON 55
11. To his Grace the Duke of GRAFTON ... 57

Letter		Page
12.	To his Grace the Duke of GRAFTON ..	64
13.	PHILO JUNIUS to the Printer of the Public Advertiser	74
14.	PHILO JUNIUS to the Printer of the Public Advertiser	78
15.	To his Grace the Duke of GRAFTON ..	84
16.	To the Printer of the Public Advertiser .	93
17.	PHILO JUNIUS to the Printer of the Public Advertiser	100
18.	To Sir WILLIAM BLACKSTONE, Solicitor General to her Majesty	105
19.	PHILO JUNIUS to the Printer of the Public Advertiser	113
20.	JUNIUS to the Printer of the Public Advertiser	124
21.	To the Printer of the Public Advertiser .	133
22.	PHILO JUNIUS to the Printer of the Public Advertiser	135
23.	JUNIUS to the Duke of BEDFORD	141
24.	Sir WILLIAM DRAPER to JUNIUS	153
25.	JUNIUS to Sir WILLIAM DRAPER	156
26.	Sir WILLIAM DRAPER to JUNIUS	161
27.	JUNIUS to the Printer of the Public Advertiser	167
28.	To the Printer of the Public Advertiser .	174
29.	PHILO JUNIUS to the Printer of the Public Advertiser	175
30.	JUNIUS to the Printer of the Public Advertiser	181

Letter		Page
31.	PHILO JUNIUS to the Printer of the Public Advertiser	190
32.	JUNIUS to the Printer of the Public Advertiser	196
33.	To his Grace the Duke of GRAFTON	198
34.	To his Grace the Duke of GRAFTON	200
35.	To the Printer of the Public Advertiser	205
36.	To the Duke of GRAFTON	226

CONTENTS

TO

VOLUME THE SECOND.

Letter		Page
37.	To the Printer of the Public Advertiser .	3
38.	To the Printer of the Public Advertiser .	10
39.	To the Printer of the Public Advertiser .	19
40.	To Lord NORTH	33
41.	To the Right Honourable Lord MANSFIELD	37
42.	To the Printer of the Public Advertiser .	51
43.	PHILO JUNIUS to the Printer of the Public Advertiser	6
44.	JUNIUS to the Printer of the Public Advertiser	67
45.	PHILO JUNIUS to the Printer of the Public Advertiser	80
46.	PHILO JUNIUS to the Printer of the Public Advertiser	82
47.	PHILO JUNIUS to the Printer of the Public Advertiser	86
48.	PHILO JUNIUS to the Printer of the Public Advertiser	89
49.	JUNIUS to the Duke of GRAFTON	94

Letter		Page
50.	To his Grace the Duke of GRAFTON	100
51.	From the Rev. Mr. HORNE to JUNIUS	106
52.	JUNIUS to the Rev. Mr. HORNE	110
53.	From the Rev. Mr. HORNE to JUNIUS	114
54.	JUNIUS to the Printer of the Public Advertiser	131
55.	PHILO JUNIUS to the Printer of the Public Advertiser	144
56.	The Rev. Mr. HORNE to JUNIUS	147
57.	JUNIUS to his Grace the Duke of GRAFTON	149
58.	Addressed to the Livery of LONDON	158
59.	To the Printer of the Public Advertiser	162
60.	PHILO JUNIUS to the Printer of the Public Advertiser	175
61.	PHILO JUNIUS to ZENO	179
62.	PHILO JUNIUS to an Advocate in the Cause of the People	187
63.	Observations by a Friend of JUNIUS in answer to a Barrister at Law	190
64.		194
65.	JUNIUS to Lord Chief Justice MANSFIELD	198
66.	JUNIUS engages to make good his charge against Lord MANSFIELD	200
67.	JUNIUS to the Duke of GRAFTON	201
68.	To Lord Chief Justice MANSFIELD	206
69.	To the Right Hon. Lord CAMDEN	238

To the K——

On y verra un Roy differement regardè des hommes,
Aimè des uns, hai des autres, estimè de tous.

THE various paltry evasions of your Majesty's ministry will never get rid of the Middlesex election; it is surcingled and buckled upon their backs. Was your Majesty to consider the intestine jars of your kingdoms, and the heart-burnings which reign amongst all degrees of people, you would never suffer the ministry to fan the fire and spirit of sedition and contention, by opposing the legal election of Mr. Wilkes to the shire of Middlesex. It is difficult at present to define the intentions of your ministers: but it is easy to discover the power of your mother, who successfully recommends pacific measures, though subversive of your dignity and domestic peace. When the Earl of Bute quitted the Princess in Germany, he repaired to the court of Madrid, to try by pomatum arguments to soften and appease the choler of the haughty Spaniard, so derogatory to your honour. I wish your Majesty would pursue the steps of your forefathers, and continue to make these arrogant Dons even tremble at the

name of England. Ye gods! protectors of my country, shall the monarch of Britain dwindle into a private dispute with the most petty of the petty governors of Spain? Shall he substitute the maternal dictate, and stop his ears against the cries of his people? Shall your mother, my gracious Sovereign, have the power of discharging the officers of state, eminent for their abilities and integrity, and substitute in their rooms the dull venal tools of Scotland? Is it consistent with reason, with that religion and domestic conduct you pursue, to reject every advice that is for the real good and dignity of your crown, and the good of your people? Is it becoming the Sovereign Majesty to divert whole hours and days with the gambols and gibes of an overgrown page, and confide the secrets of government in his hollow head and breast, and permit him to negotiate the sale of peerages? Is it kingly, is it manly, to converse with coachmakers, architects, dentists, and locksmiths, and permit them to see the puerilities of a Prince run up into seed in manhood? Will nothing prompt and stimulate your royal heart to remove those panders of your errors, and once more ride upon the wings of popularity, and dwell on the tongues of your subjects? I now beseech your Majesty to be cautious how you settle this dispute with Spain, and how you finish these intricate negotiations to the honour of yourself and the glory of your country. Firmness and magnanimity are the only arguments

with them—beware of the subtilty of the House of Bourbon! If you permit your debilitated, impotent ministers to conduct this affair, I fear the consequences will be fatal to these realms; their ignorance will set fire to the pillar of the constitution; nor will it be in the power of all your tools and engines about court to extinguish it. Remember the misfortunes of the unhappy Charles Stuart. He had a head, and he had no head. It is not too late to retrieve your fame with your people, if you listen to the dictates of your truest friend

JUNIUS.

LETTERS OF JUNIUS.

LETTER I.

ADDRESSED TO

THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 21 January, 1769.

THE submission of a free people to the executive authority of government is no more than a compliance with laws which they themselves have enacted. While the national honour is firmly maintained abroad, and while justice is impartially administered at home, the obedience of the subject will be voluntary, cheerful, and I might almost say unlimited. A generous nation is grateful even for the preservation of its rights, and willingly extends the respect due to the office of a good prince into an affection for his person. Loyalty, in the heart and understanding of an Englishman, is a rational attachment to the guardian of the laws. Prejudices and passion have sometimes carried it to a criminal

length; and, whatever foreigners may imagine, we know that Englishmen have erred as much in a mistaken zeal for particular persons and families, as they ever did in defence of what they thought most dear and interesting to themselves.

It naturally fills us with resentment to see such a temper insulted and abused. In reading the history of a free people, whose rights have been invaded, we are interested in their cause. Our own feelings tell us how long they ought to have submitted, and at what moment it would have been treachery to themselves not to have resisted. How much warmer will be our resentment if experience should bring the fatal example home to ourselves!

The situation of this country is alarming enough to rouse the attention of every man who pretends to a concern for the public welfare. Appearances justify suspicion; and, when the safety of a nation is at stake, suspicion is a just ground of enquiry. Let us enter into it with candour and decency. Respect is due to the station of ministers; and, if a resolution must at last be taken, there is none so likely to be supported with firmness as that which has been adopted with moderation.

The ruin or prosperity of a state depends so much upon the administration of its government, that, to be acquainted with the merit of a ministry, we need

only observe the condition of the people. If we see them obedient to the laws, prosperous in their industry, united at home, and respected abroad, we may reasonably presume that their affairs are conducted by men of experience, abilities, and virtue. If, on the contrary, we see an universal spirit of distrust and dissatisfaction, a rapid decay of trade, dissensions in all parts of the empire, and a total loss of respect in the eyes of foreign powers, we may pronounce, without hesitation, that the government of that country is weak, distracted, and corrupt. The multitude, in all countries, are patient to a certain point. Ill usage may rouse their indignation, and hurry them into excesses, but the original fault is in government. Perhaps there never was an instance of a change, in the circumstances and temper of a whole nation, so sudden and extraordinary as that which the misconduct of ministers has, within these few years, produced in Great Britain. When our gracious sovereign ascended the throne, we were a flourishing and a contented people. If the personal virtues of a king could have insured the happiness of his subjects, the scene could not have altered so entirely as it has done. The idea of uniting all parties, of trying all characters, and distributing the offices of state by rotation, was gracious and benevolent to an extreme, though it has not yet produced the many salutary effects which were intended by it. To say nothing of the wisdom of such a plan, it undoubtedly arose from an un-

bounded goodness of heart, in which folly had no share. It was not a capricious partiality to new faces; it was not a natural turn for low intrigue; nor was it the treacherous amusement of double and triple negotiations. No, Sir, it arose from a continued anxiety, in the purest of all possible hearts, for the general welfare. Unfortunately for us, the event has not been answerable to the design. After a rapid succession of changes, we are reduced to that state which hardly any change can mend. Yet there is no extremity of distress which, of itself, ought to reduce a great nation to despair. It is not the disorder, but the physician; it is not a casual concurrence of calamitous circumstances, it is the pernicious hand of government, which alone can make a whole people desperate.

Without much political sagacity, or any extraordinary depth of observation, we need only mark how the principal departments of the state are bestowed, and look no farther for the true cause of every mischief that befals us.

The [a] finances of a nation, sinking under its debts and expences, are committed to a young nobleman already ruined by play. Introduced to act under the auspices of Lord Chatham, and left at the head of affairs by that nobleman's retreat, he became minister by accident; but, deserting the principles and professions which gave him a moment's

popularity, we see him, from every honourable engagement to the public, an apostate by design. As for business, the world yet knows nothing of his talents or resolution; unless a wayward, wavering inconsistency be a mark of genius, and caprice a demonstration of spirit. It may be said, perhaps, that it is his Grace's province, as surely it is his passion, rather to distribute than to save the public money, and that while Lord North is Chancellor of the Exchequer, the First Lord of the Treasury may be as thoughtless and extravagant as he pleases. I hope, however, he will not rely too much on the fertility of Lord North's genius for finance. His lordship is yet to give us the first proof of his abilities: it may be candid to suppose that he has hitherto voluntarily concealed his talents; intending, perhaps, to astonish the world, when we least expect it, with a knowledge of trade, a choice of expedients, and a depth of resources equal to the necessities, and far beyond the hopes of his country. He must now exert the whole power of his capacity, if he would wish us to forget that, since he has been in office, no plan has been formed, no system adhered to, nor any one important measure adopted for the relief of public credit. If his plan for the service of the current year be not irrevocably fixed on, let me warn him to think seriously of consequences before he ventures to increase the public debt. Outraged and oppressed as we are, this nation will not bear, after a six years peace, to see

new millions borrowed, without an eventual diminution of debt, or reduction of interest. The attempt might rouse a spirit of resentment, which might reach beyond the sacrifice of a minister. As to the debt upon the civil list, the people of England expect that it will not be paid without a strict enquiry how it was incurred. If it must be paid by parliament, let me advise the Chancellor of the Exchequer to think of some better expedient than a lottery. To support an expensive war, or in circumstances of absolute necessity, a lottery may, perhaps, be allowable; but, besides that it is at all times the very worst way of raising money upon the people, I think it ill becomes the Royal dignity to have the debts of a King provided for like the repairs of a country bridge, or a decayed hospital. The management of the King's affairs in the House of Commons cannot be more disgraced than it has been. A leading minister, repeatedly called down for absolute ignorance; ridiculous motions ridiculously withdrawn; deliberate plans disconcerted, and a week's preparation of graceful oratory lost in a moment, give us some, though not adequate, ideas of Lord North's parliamentary abilities and influence. Yet before he had the misfortune of being Chancellor of the Exchequer, he was neither an object of derision to his enemies, nor of melancholy pity to his friends.

A series of inconsistent measures has alienated

the colonies from their duty as subjects, and from their natural affection to their common country. When Mr. Grenville was placed at the head of the Treasury, he felt the impossibility of Great Britain's supporting such an establishment as her former successes had made indispensable, and at the same time of giving any sensible relief to foreign trade, and to the weight of the public debt. He thought it equitable that those parts of the empire, which had benefited most by the expences of the war, should contribute something to the expences of the peace, and he had no doubt of the constitutional right vested in parliament to raise the contribution. But, unfortunately for his country, Mr. Grenville was at any rate to be distressed because he was minister, and Mr. Pitt [b] and Lord Camden were to be the patrons of America, because they were in opposition. Their declaration gave spirit and argument to the colonies, and while, perhaps, they meant no more than the ruin of a minister, they in effect divided one half of the empire from the other.

Under one administration the stamp act is made; under the second it is repealed; under the third, in spite of all experience, a new mode of taxing the colonies is invented, and a question revived, which ought to have been buried in oblivion. In these circumstances a new office is established for the business of the plantations, and the Earl of Hillsborough called forth, at a most critical season, to

govern America. The choice at least announced to us a man of superior capacity and knowledge. Whether he be so or not, let his dispatches as far as they have appeared, let his measures as far as they have operated, determine for him. In the former we have seen strong assertions without proof, declamation without argument, and violent censures without dignity or moderation; but neither correctness in the composition, nor judgment in the design. As for his measures, let it be remembered, that he was called upon to conciliate and unite; and that, when he entered into office, the most refractory of the colonies were still disposed to proceed by the constitutional methods of petition and remonstrance. Since that period they have been driven into excesses little short of rebellion. Petitions have been hindered from reaching the throne; and the continuance of one of the principal assemblies rested upon an arbitrary condition,[c] which, considering the temper they were in, it was impossible they should comply with, and which would have availed nothing as to the general question, if it had been complied with. So violent, and I believe I may call it so unconstitutional, an exertion of the prerogative; to say nothing of the weak, injudicious terms in which it was conveyed; gives us as humble an opinion of his lordship's capacity as it does of his temper and moderation. While we are at peace with other nations, our military force may, perhaps, be spared to support the Earl of Hillsbo-

rough's measures in America. Whenever that force shall be necessarily withdrawn or diminished, the dismission of such a minister will neither console us for his imprudence, nor remove the settled resentment of a people, who, complaining of an act of the legislature, are outraged by an unwarrantable stretch of prerogative, and, supporting their claims by argument, are insulted with declamation.

Drawing lots would be a prudent and reasonable method of appointing the officers of state, compared to a late disposition of the secretary's office. Lord Rochford was acquainted with the affairs and temper of the southern courts: Lord Weymouth was equally qualified for either department.[d] By what unaccountable caprice has it happened that the latter, who pretends to no experience whatsoever, is removed to the most important of the two departments, and the former by preference placed in an office where his experience can be of no use to him? Lord Weymouth had distinguished himself in his first employment by a spirited, if not judicious conduct. He had animated the civil magistrate beyond the tone of civil authority, and had directed the operations of the army to more than military execution. Recovered from the errors of his youth, from the distraction of play, and the bewitching smiles of Burgundy, behold him exerting the whole strength of his clear, unclouded faculties, in the service of the crown. It was not the heat of

midnight excesses, nor ignorance of the laws, nor furious spirit of the house of Bedford: no, Sir, when this respectable minister interposed his authority between the magistrate and the people, and signed the mandate on which, for aught he knew, the lives of thousands depended, he did it from the deliberate motion of his heart, supported by the best of his judgment.

It has lately been a fashion to pay a compliment to the bravery and generosity of the commander in chief,[e] at the expence of his understanding. They who love him least make no question of his courage, while his friends dwell chiefly on the facility of his disposition. Admitting him to be as brave as a total absence of all feeling and reflection can make him, let us see what sort of merit he derives from the remainder of his character. If it be generosity to accumulate in his own person and family a number of lucrative employments; to provide, at the public expence, for every creature that bears the name of Manners; and, neglecting the merit and services of the rest of the army, to heap promotions upon his favourites and dependants; the present commander in chief is the most generous man alive. Nature has been sparing of her gifts to this noble lord; but where birth and fortune are united, we expect the noble pride and independence of a man of spirit, not the servile, humiliating complaisance of a courtier. As to the goodness of his heart, if a

proof of it be taken from the facility of never refusing, what conclusion shall we draw from the indecency of never performing? And if the discipline of the army be in any degree preserved, what thanks are due to a man whose cares, notoriously confined to filling up vacancies, have degraded the office of commander in chief into a broker of commissions!

With respect to the navy, I shall only say, that this country is so highly indebted to Sir Edward Hawke, that no expence should be spared to secure to him an honourable and affluent retreat.

The pure and impartial administration of justice is, perhaps, the firmest bond to secure a cheerful submission of the people, and to engage their affections to government. It is not sufficient that questions of private right or wrong are justly decided, nor that judges are superior to the vileness of pecuniary corruption. Jefferies himself, when the court had no interest, was an upright judge. A court of justice may be subject to another sort of bias, more important and pernicious, as it reaches beyond the interest of individuals, and affects the whole community. A judge under the influence of government, may be honest enough in the decision of private causes, yet a traitor to the public. When a victim is marked out by the ministry, this judge will offer himself to perform the sacrifice. He will

not scruple to prostitute his dignity, and betray the sanctity of his office, whenever an arbitrary point is to be carried for government, or the resentment of a court to be gratified.

These principles and proceedings, odious and contemptible as they are, in effect are no less injudicious. A wise and generous people are roused by every appearance of oppressive, unconstitutional measures, whether those measures are supported only by the power of government, or masked under the forms of a court of justice. Prudence and self-preservation will oblige the most moderate dispositions to make common cause, even with a man whose conduct they censure, if they see him persecuted in a way which the real spirit of the laws will not justify. The facts, on which these remarks are founded, are too notorious to require an application.

This, Sir, is the detail. In one view behold a nation overwhelmed with debt; her revenues wasted; her trade declining; the affections of her colonies alienated; the duty of the magistrate transferred to the soldiery; a gallant army, which never fought unwillingly but against their fellow subjects, mouldering away for want of the direction of a man of common abilities and spirit; and, in the last instance, the administration of justice become odious and suspected to the whole body of the people. This de-

plorable scene admits of but one addition—that we are governed by counsels from which a reasonable man can expect no remedy but poison, no relief but death.

If, by the immediate interposition of Providence, it were possible for us to escape a crisis so full of terror and despair, posterity will not believe the history of the present times. They will either conclude that our distresses were imaginary, or that we had the good fortune to be governed by men of acknowledged integrity and wisdom: they will not believe it possible that their ancestors could have survived, or recovered from so desperate a condition, while a Duke of Grafton was Prime Minister, a Lord North Chancellor of the Exchequer, a Weymouth and a Hillsborough Secretaries of State, a Granby Commander in Chief, and a Mansfield chief criminal Judge of the kingdom.

JUNIUS.

LETTER II.

TO

THE PRINTER OF THE PUBLIC ADVERTISER.

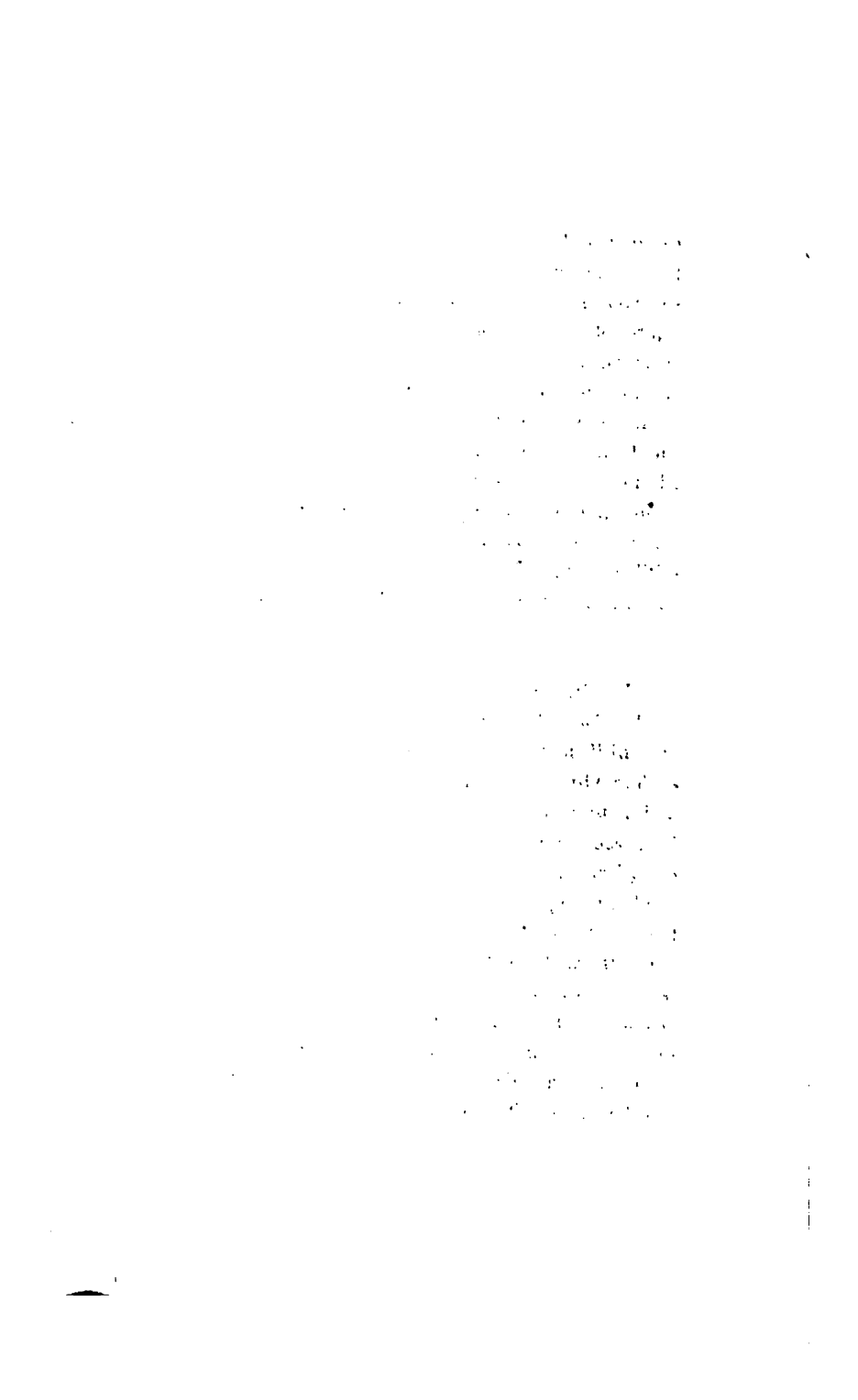
SIR, 26 January, 1769.

THE kingdom swarms with such numbers of felonious robbers of private character and virtue, that no honest or good man is safe; especially as these cowardly, base assassins stab in the dark, without having the courage to sign their real names to their malevolent and wicked productions. A writer, who signs himself Junius, in the Public Advertiser of the 21st instant, opens the deplorable situation of his country in a very affecting manner; with a pompous parade of his candour and decency, he tells us, that we see dissensions in all parts of the empire, an universal spirit of distrust and dissatisfaction, and a total loss of respect towards us in the eyes of foreign powers. But this writer, with all his boasted candour, has not told us the real cause of the evils he so pathetically enumerates. I shall take the liberty to explain the cause for him. Junius, and such writers as himself, occasion all the

mischief complained of, by falsely and maliciously traducing the best characters in the kingdom. For when our deluded people at home, and foreigners abroad, read the poisonous and inflammatory libels that are daily published with impunity, to vilify those who are any way distinguished by their good qualities and eminent virtues: when they find no notice taken of, or reply given, to these slanderous tongues and pens, their conclusion is, that both the ministers and the nation have been fairly described; and they act accordingly. I think it therefore the duty of every good citizen to stand forth, and endeavour to undeceive the public, when the vilest arts are made use of to defame and blacken the brightest characters among us. An eminent author affirms it to be almost as criminal to hear a worthy man traduced, without attempting his justification, as to be the author of the calumny against him. For my own part, I think it a sort of misprision of treason against society. No man therefore who knows Lord Granby, can possibly hear so good and great a character most vilely abused, without a warm and just indignation against this Junius, this high-priest of envy, malice, and all uncharitableness, who has endeavoured to sacrifice our beloved commander in chief at the altars of his horrid deities. Nor is the injury done to his lordship alone, but to the whole nation, which may too soon feel the contempt, and consequently the attacks of our late enemies, if they can be induced to believe that the

person on whom the safety of these kingdoms so much depends, is unequal to his high station, and destitute of those qualities which form a good general. One would have thought that his lordship's service in the cause of his country, from the battle of Culloden to his most glorious conclusion of the late war, might have entitled him to common respect and decency at least; but this uncandid, indecent writer has gone so far as to turn one of the most amiable men of the age into a stupid, unfeeling, and senseless being; possessed indeed of a personal courage, but void of those essential qualities which distinguish the commander from the common soldier.

A very long, uninterrupted, impartial, I will add, a most disinterested friendship with Lord Granby, gives me the right to affirm, that all Junius's assertions are false and scandalous. Lord Granby's courage, though of the brightest and most ardent kind, is among the lowest of his numerous good qualities; he was formed to excel in war by nature's liberality to his mind as well as person. Educated and instructed by his most noble father, and a most spirited as well as excellent scholar, the present bishop of Bangor, he was trained to the nicest sense of honour, and to the truest and noblest sort of pride, that of never doing or suffering a mean action. A sincere love and attachment to his king and country, and to their glory, first impelled him



Ridley sc

Marquis of Granby

to the field, where he never gained aught but honour. He impaired, through his bounty, his own fortune; for his bounty, which this writer would in vain depreciate, is founded upon the noblest of the human affections; it flows from a heart melting to goodness from the most refined humanity. Can a man, who is described as unfeeling, and void of reflection, be constantly employed in seeking proper objects on whom to exercise those glorious virtues of compassion and generosity? The distressed officer, the soldier, the widow, the orphan, and a long list besides, know that vanity has no share in his frequent donations; he gives, because he feels their distresses. Nor has he ever been rapacious with one hand to be bountiful with the other; yet this uncandid Junius would insinuate, that the dignity of the commander in chief is depraved into the base office of a commission broker; that is, Lord Granby bargains for the sale of commissions; for it must have this meaning, if it has any at all. But where is the man living who can justly charge his lordship with such mean practices? Why does not Junius produce him? Junius knows that he has no other means of wounding this hero than from some missile weapon, shot from an obscure corner: he seeks, as all such defamatory writers do,

..... spargere voces
In Vulgum ambiguas.....

to raise suspicion in the minds of the people. But I hope that my countrymen will be no longer im-

posed upon by artful and designing men, or by wretches, who, bankrupts in business, in fame, and in fortune, mean nothing more than to involve this country in the same common ruin with themselves. Hence it is that they are constantly aiming their dark and too often fatal weapons against those who stand forth as the bulwark of our national safety. Lord Granby was too conspicuous a mark not to be their object. He is next attacked for being unfaithful to his promises and engagements. Where are Junius's proofs? Although I could give some instances where a breach of promise would be a virtue, especially in the case of those who would pervert the open, unsuspecting moments of convivial mirth into sly, insidious applications for preferment, or party systems, and would endeavour to surprise a good man, who cannot bear to see any one leave him dissatisfied, into unguarded promises. Lord Granby's attention to his own family and relations is called selfish. Had he not attended to them, when fair and just opportunities presented themselves, I should have thought him unfeeling, and void of reflection indeed. How are any man's friends or relations to be provided for but from the influence and protection of the patron? It is unfair to suppose that Lord Granby's friends have not as much merit as the friends of any other great man: if he is generous at the public expence, as Junius invidiously calls it, the public is at no more expence for his lordship's friends than it would be if any

other set of men possessed those offices. The charge is ridiculous!

The last charge against Lord Granby is of a most serious and alarming nature indeed. Junius asserts, that the army is mouldering away for want of the direction of a man of common abilities and spirit. The present condition of the army gives the directest lie to his assertions. It was never upon a more respectable footing with regard to discipline, and all the essentials that can form good soldiers. Lord Ligonier delivered a firm and noble palladium of our safeties into Lord Granby's hands, who has kept it in the same good order in which he received it. The strictest care has been taken to fill up the vacant commissions with such gentlemen as have the glory of their ancestors to support as well as their own, and are doubly bound to the cause of their king and country from motives of private property as well as public spirit. The adjutant-general, who has the immediate care of the troops after Lord Granby, is an officer that would do great honour in any service in Europe, for his correct arrangements, good sense, and discernment, upon all occasions, and for a punctuality and precision which give the most entire satisfaction to all who are obliged to consult him. The reviewing generals, who inspect the army twice a year, have been selected with the greatest care, and have answered the important trust reposed in them in the most laudable manner.

Their reports of the condition of the army are much more to be credited than those of Junius, whom I do advise to atone for his shameful aspersions, by asking pardon of Lord Granby and the whole kingdom, whom he has offended by his abominable scandals. In short, to turn Junius's own battery against him, I must assert, in his own words, 'that he has given strong assertions without proof, declamation without argument, and violent censures without dignity or moderation.'

WILLIAM DRAPER.

LETTER III.

TO

SIR WILLIAM DRAPER, K. B.

SIR, 7 February, 1769.

YOUR defence of Lord Granby does honour to the goodness of your heart. You feel, as you ought to do, for the reputation of your friend, and you express yourself in the warmest language of your passions. In any other cause, I doubt not, you would have cautiously weighed the consequences of committing your name to the licentious discourses and malignant opinions of the world. But here, I presume, you thought it would be a breach of friendship to lose one moment in consulting your understanding; as if an appeal to the public were no more than a military coup de main, where a brave man has no rules to follow but the dictates of his courage. Touched with your generosity, I freely forgive the excesses into which it has led you; and, far from resenting those terms of reproach which, considering that you are an advocate for decorum, you have heaped upon me rather too liberally, I

place them to the account of an honest unreflecting indignation, in which your cooler judgment and natural politeness had no concern. I approve of the spirit with which you have given your name to the public; and, if it were a proof of any thing but spirit, I should have thought myself bound to follow your example. I should have hoped that even my name might carry some authority with it, if I had not seen how very little weight or consideration a printed paper receives even from the respectable signature of Sir William Draper.

You begin with a general assertion, that writers, such as I am, are the real cause of all the public evils we complain of. And do you really think, Sir William, that the licentious pen of a political writer is able to produce such important effects? A little calm reflection might have shewn you that national calamities do not arise from the description, but from the real character and conduct of ministers. To have supported your assertion, you should have proved that the present ministry are unquestionably the best and brightest characters of the kingdom; and that, if the affections of the colonies have been alienated, if Corsica has been shamefully abandoned, if commerce languishes, if public credit is threatened with a new debt, and your own Manilla ransom most dishonourably given up, it has all been owing to the malice of political writers, who will not suffer the best and brightest characters (mean-

ing still the present ministry) to take a single right step for the honour or interest of the nation. But it seems you were a little tender of coming to particulars. Your conscience insinuated to you that it would be prudent to leave the characters of Grafton, North, Hillsborough, Weymouth, and Mansfield, to shift for themselves; and truly, Sir William, the part you have undertaken is at least as much as you are equal to.

Without disputing Lord Granby's courage, we are yet to learn in what articles of military knowledge nature has been so very liberal to his mind. If you have served with him, you ought to have pointed out some instances of able disposition and well-concerted enterprise, which might fairly be attributed to his capacity as a general. It is you, Sir William, who make your friend appear awkward and ridiculous, by giving him a laced suit of tawdry qualifications, which nature never intended him to wear.

You say, he has acquired nothing but honour in the field. Is the Ordnance nothing? Are the Blues nothing? Is the command of the army, with all the patronage annexed to it, nothing? Where he got these nothings I know not; but you at least ought to have told us when he deserved them.

As to his bounty, compassion, &c. it would have

been but little to the purpose, though you had proved all that you have asserted. I meddle with nothing but his character as commander in chief; and, though I acquit him of the baseness of selling commissions, I still assert that his military cares have never extended beyond the disposal of vacancies; and I am justified by the complaints of the whole army, when I say that, in this distribution, he consults nothing but parliamentary interests, or the gratification of his immediate dependants. As to his servile submission to the reigning ministry, let me ask whether he did not desert the cause of the whole army when he suffered Sir Jeffery Amherst to be sacrificed, and what share he had in recalling that officer to the service? Did he not betray the just interest of the army in permitting Lord Percy to have a regiment? And does he not at this moment give up all character and dignity as a gentleman, in receding from his own repeated declarations in favour of Mr. Wilkes?

In the two next articles I think we are agreed. You candidly admit that he often makes such promises as it is a virtue in him to violate, and that no man is more assiduous to provide for his relations at the public expence. I did not urge the last as an absolute vice in his disposition, but to prove that a careless disinterested spirit is no part of his character; and as to the other, I desire it may be remembered, that I never descended to the indecency

of inquiring into his convivial hours. It is you, Sir William Draper, who have taken pains to represent your friend in the character of a drunken landlord, who deals out his promises as liberally as his liquor, and will suffer no man to leave his table either sorrowful or sober. None but an intimate friend, who must frequently have seen him in these unhappy, disgraceful moments, could have described him so well.

The last charge, of the neglect of the army, is indeed the most material of all. I am sorry to tell you, Sir William, that, in this article, your first fact is false, and as there is nothing more painful to me than to give a direct contradiction to a gentleman of your appearance, I could wish that, in your future publications, you would pay a greater attention to the truth of your premises, before you suffer your genius to hurry you to a conclusion. Lord Ligonier did not deliver the army (which you, in classical language, are pleased to call a palladium) into Lord Granby's hands. It was taken from him much against his inclination, some two or three years before Lord Granby was commander in chief. As to the state of the army, I should be glad to know where you have received your intelligence. Was it in the rooms at Bath, or at your retreat at Clifton? The reports of reviewing generals comprehend only a few regiments in England, which, as they are immediately under the royal inspection, are perhaps

in some tolerable order. But do you know any thing of the troops in the West Indies, the Mediterranean, and North America? to say nothing of a whole army absolutely ruined in Ireland. Inquire a little into facts, Sir William, before you publish your next panegyric upon Lord Granby, and believe me, you will find there is a fault at head-quarters, which even the acknowledged care and abilities of the adjutant-general cannot correct.

Permit me now, Sir William, to address myself personally to you, by way of thanks for the honour of your correspondence. You are by no means undeserving of notice: and it may be of consequence even to Lord Granby to have it determined whether or no the man who has praised him so lavishly, be himself deserving of praise. When you returned to Europe, you zealously undertook the cause of that gallant army by whose bravery at Manilla your own fortune had been established. You complained, you threatened, you even appealed to the public in print. By what accident did it happen that, in the midst of all this bustle, and all these clamours for justice to your injured troops, the name of the Manilla ransom was suddenly buried in a profound, and, since that time, an uninterrupted silence? Did the ministry suggest any motives to you strong enough to tempt a man of honour to desert and betray the cause of his fellow soldiers? Was it that blushing ribband which is now the perpetual ornament of

your person? Or was it that regiment which you afterwards (a thing unprecedented among soldiers) sold to Colonel Gisborne? Or was it that government, the full pay of which you are contented to hold, with the half pay of an Irish colonel? And do you now, after a retreat not very like that of Scipio, presume to intrude yourself, unthought of, uncalled for, upon the patience of the public? Are your flatteries of the commander in chief directed to another regiment, which you may again dispose of on the same honourable terms? We know your prudence, Sir William, and I should be sorry to stop your preferment.

JUNIUS.

LETTER IV.

TO

JUNIUS.

SIR, 17 February, 1769.

I RECEIVED Junius's favour last night; he is determined to keep his advantage by the help of his mask; it is an excellent protection, it has saved many a man from an untimely end. But whenever he will be honest enough to lay it aside, avow himself, and produce the face which has so long lurked behind it, the world will be able to judge of his motives for writing such infamous invectives. His real name will discover his freedom and independency, or his servility to a faction. Disappointed ambition, resentment for defeated hopes, and desire of revenge, assume but too often the appearance of public spirit; but be his designs wicked or charitable, Junius should learn that it is possible to condemn measures without a barbarous and criminal outrage against men. Junius delights to mangle carcases with a hatchet; his language and instrument have a great connexion with Clare-

market, and, to do him justice, he handles his weapon most admirably. One would imagine he had been taught to throw it by the savages of America. It is therefore high time for me to step in once more to shield my friend from this merciless weapon, although I may be wounded in the attempt. But I must first ask Junius by what forced analogy and construction the moments of convivial mirth are made to signify indecency, a violation of engagements, a drunken landlord, and a desire that every one in company should be drunk likewise? He must have culled all the flowers of St. Giles's and Billingsgate to have produced such a piece of oratory. Here the hatchet descends with tenfold vengeance; but, alas! it hurts no one but its master! For Junius must not think to put words into my mouth that seem too foul even for his own.

My friend's political engagements I know not, so cannot pretend to explain them, or assert their consistency. I know not whether Junius be considerable enough to belong to any party; if he should be so, can he affirm that he has always adhered to one set of men and measures? Is he sure that he has never sided with those whom he was first hired to abuse? Has he never abused those he was hired to praise? To say the truth, most men's politics sit much too loosely about them. But as my friend's military character was the chief object that engaged me in this controversy, to that I shall return.

Junius asks what instances my friend has given of his military skill and capacity as a general? When and where he gained his honour? When he deserved his emoluments? The united voice of the army which served under him, the glorious testimony of Prince Ferdinand, and of vanquished enemies, all Germany will tell him. Junius repeats the complaints of the army against parliamentary influence. I love the army too well not to wish that such influence were less. Let Junius point out the time when it has not prevailed. It was of the least force in the time of that great man the late Duke of Cumberland, who, as a prince of the blood, was able as well as willing to stem a torrent which would have overborne any private subject. In time of war this influence is small. In peace, when discontent and faction have the surest means to operate, especially in this country, and when, from a scarcity of public spirit, the wheels of government are rarely moved but by the power and force of obligations, its weight is always too great. Yet, if this influence at present has done no greater harm than the placing Earl Percy at the head of a regiment, I do not think that either the rights or best interests of the army are sacrificed and betrayed, or the nation undone. Let me ask Junius if he knows any one nobleman in the army who has had a regiment by seniority? I feel myself happy in seeing young noblemen of illustrious name and great property come among us. They are an additional se-

curity to the kingdom from foreign or domestic slavery. Junius needs not be told, that should the time ever come when this nation is to be defended only by those who have nothing more to lose than their arms and their pay, its danger will be great indeed. A happy mixture of men of quality with soldiers of fortune is always to be wished for. But the main point is still to be contended for; I mean the discipline and condition of the army: and I must still maintain, though contradicted by Junius, that it was never upon a more respectable footing, as to all the essentials that can form good soldiers, than it is at present. Junius is forced to allow that our army at home may be in some tolerable order; yet how kindly does he invite our late enemies to the invasion of Ireland, by assuring them that the army in that kingdom is totally ruined! (The colonels of that army are much obliged to him.) I have too great an opinion of the military talents of the lord lieutenant, and of all their diligence and capacity, to believe it. If from some strange, unaccountable fatality, the people of that kingdom cannot be induced to consult their own security by such an effectual augmentation as may enable the troops there to act with power and energy, is the commander in chief here to blame? Or is he to blame because the troops in the Mediterranean, in the West Indies, in America, labour under great difficulties from the scarcity of men, which is but too visible all over these kingdoms? Many of our forces

are in climates unfavourable to British constitutions: their loss is in proportion. Britain must recruit all these regiments from her own emaciated bosom, or, more precariously, by Catholics from Ireland. We are likewise subject to the fatal drains to the East Indies, to Senegal, and the alarming emigrations of our people to other countries: such depopulation can only be repaired by a long peace, or by some sensible bill of naturalization.

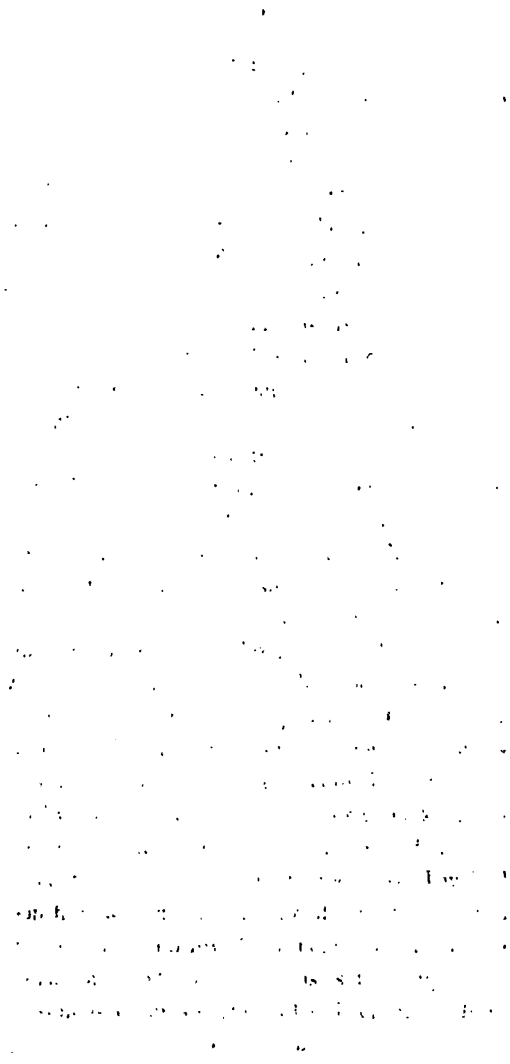
I must now take the liberty of addressing Junius on my own account. He is pleased to tell me that he addresses himself to me personally. I shall be glad to see him. It is his impersonality that I complain of, and his invisible attacks; for his dagger in the air is only to be regarded because one cannot see the hand which holds it; but had it not wounded other people more deeply than myself, I should not have obtruded myself at all on the patience of the public.

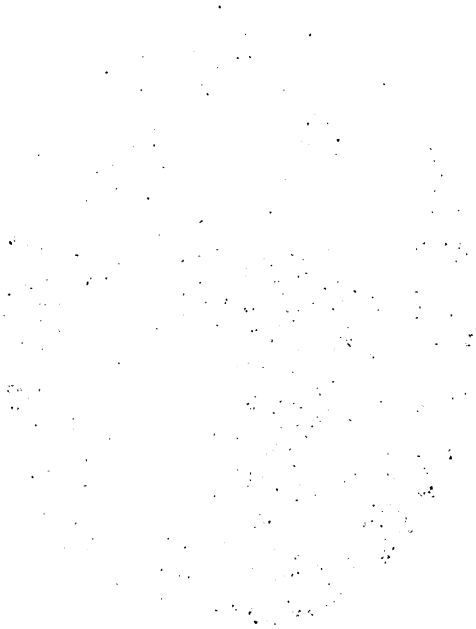
Mark how a plain tale shall put him down, and transfuse the blush of my ribband into his own cheeks. Junius tells me that at my return I zealously undertook the cause of the gallant army by whose bravery at Manilla my own fortunes were established; that I complained, that I even appealed to the public. I did so; I glory in having done so, as I had an undoubted right to vindicate my own character, attacked by a Spanish memo-

Knowles sculp.

EARL OF SHELBURNE

Publish'd by Verner & Hood, Oct.r 1 1805.





rial, and to assert the rights of my brave companions. I glory likewise that I have never taken up my pen but to vindicate the injured. Junius asks, by what accident did it happen that, in the midst of all this bustle, and all the clamours for justice to the injured troops, the Manilla ransom was suddenly buried in a profound, and, since that time, an uninterrupted silence? I will explain the cause to the public. The several ministers who have been employed since that time have been very desirous to do justice, from two most laudable motives, a strong inclination to assist injured bravery, and to acquire a well deserved popularity to themselves. Their efforts have been in vain. Some were ingenuous enough to own that they could not think of involving this distressed nation in another war for our private concerns. In short, our rights, for the present, are sacrificed to national convenience; and I must confess, that although I may lose five and twenty thousand pounds by their acquiescence to this breach of faith in the Spaniards, I think they are in the right to temporise, considering the critical situation of this country, convulsed in every part by poison infused by anonymous, wicked, and incendiary writers. Lord Shelburne will do me the justice to own that, in September last, I waited upon him with a joint memorial from the admiral Sir S. Cornish and myself, in behalf of our injured companions. His lordship was as frank upon the occasion as other secretaries had been before him,

He did not deceive us by giving any immediate hopes of relief.

Junius would basely insinuate that my silence may have been purchased by my government, by my blushing ribband, by my regiment, by the sale of that regiment, and by half pay as an Irish colonel.

His Majesty was pleased to give me my government for my service at Madras. I had my first regiment in 1757. Upon my return from Manilla his Majesty, by Lord Egremont, informed me that I should have the first vacant red ribband, as a reward for many services in an enterprise which I had planned as well as executed. The Duke of Bedford and Mr. Grenville confirmed those assurances many months before the Spaniards had protested the ransom bills. To accommodate Lord Clive, then going upon a most important service to Bengal, I waved my claim to the vacancy which then happened. As there was no other vacancy until the Duke of Grafton and Lord Rockingham were joint ministers, I was then honoured with the order; and it is surely no small honour to me that, in such a succession of ministers, they were all pleased to think that I had deserved it: in my favour they were all united. Upon the reduction of the seventy-ninth regiment, which had served so gloriously in the East Indies, his Majesty, unsolicited by me, gave

me the sixteenth of foot as an equivalent. My motives for retiring afterwards are foreign to the purpose; let it suffice, that his Majesty was pleased to approve of them; they are such as no man can think indecent, who knows the shocks that repeated vicissitudes of heat and cold, of dangerous and sickly climates, will give to the best constitutions in a pretty long course of service. I resigned my regiment to Colonel Gisborne, a very good officer, for his half pay, and two hundred pounds Irish annuity; so that, according to Junius, I have been bribed to say nothing more of the Manilla ransom, and sacrifice those brave men by the strange avarice of accepting three hundred and eighty pounds per annum, and giving up eight hundred! If this be bribery, it is not the bribery of these times. As to my flattery, those who know me will judge of it. By the asperity of Junius's style, I cannot indeed call him a flatterer, unless he be as a cynic or a mastiff; if he wags his tail, he will still growl, and long to bite. The public will now judge of the credit that ought to be given to Junius's writings, from the falsities that he has insinuated with respect to myself.

WILLIAM DRAPER.

LETTER V.

TO

SIR WILLIAM DRAPER, K. B.

SIR, 21 February, 1769.

I SHOULD justly be suspected of acting upon motives of more than common enmity to Lord Granby if I continued to give you fresh materials, or occasion for writing in his defence. Individuals who hate, and the public who despise, have read your letters, Sir William, with infinitely more satisfaction than mine. Unfortunately for him, his reputation, like that unhappy country to which you refer me for his last military achievements, has suffered more by his friends than his enemies. In mercy to him let us drop the subject. For my own part, I willingly leave it to the public to determine whether your vindication of your friend has been as able and judicious as it was certainly well intended; and you, I think, may be satisfied

with the warm acknowledgments he already owes you for making him the principal figure in a piece in which, but for your amicable assistance, he might have passed without particular notice or distinction.

In justice to your friends, let your future labours be confined to the care of your own reputation. Your declaration, that you are happy in seeing young noblemen come among us, is liable to two objections. With respect to Lord Percy, it means nothing, for he was already in the army. He was aid de camp to the King, and had the rank of colonel. A regiment therefore could not make him a more military man, though it made him richer, and, probably, at the expence of some brave, deserving, friendless officer.—The other concerns yourself. After selling the companions of your victory in one instance, and after selling your profession in the other, by what authority do you presume to call yourself a soldier? The plain evidence of facts is superior to all declarations. Before you were appointed to the sixteenth regiment, your complaints were a distress to government; from that moment you were silent. The conclusion is inevitable. You insinuate to us that your ill state of health obliged you to quit the service. The retirement necessary to repair a broken constitution would have been as good a reason for not accepting as for resigning the command of a regiment. There is certainly an error

of the press, or an affected obscurity, in that paragraph where you speak of your bargain with Colonel Gisborne. Instead of attempting to answer what I do not really understand, permit me to explain to the public what I really know. In exchange for your regiment you accepted of a colonel's half pay (at least two hundred and twenty pounds a year), and an annuity of two hundred pounds for your own and Lady Draper's life jointly.——And is this the losing bargain, which you would represent to us as if you had given up an income of eight hundred pounds a year for three hundred and eighty pounds? Was it decent, was it honourable, in a man who pretends to love the army, and calls himself a soldier, to make a traffic of the royal favour, and turn the highest honour of an active profession into a sordid provision for himself and his family? It were unworthy of me to press you farther. The contempt with which the whole army heard of the manner of your retreat assures me, that as your conduct was not justified by precedent, it will never be thought an example for imitation.

The last and most important question remains. When you receive your half pay, do you, or do you not, take a solemn oath, or sign a declaration upon your honour, to the following effect?—That you do not actually hold any place of profit, civil or military, under his Majesty. The charge which the question plainly conveys against you is of so

shocking a complexion, that I sincerely wish you may be able to answer it well, not merely for the colour of your reputation, but for your own inward peace of mind.

JUNIUS.

LETTER VI.

TO

JUNIUS.

SIR, 27 February, 1769.

I HAVE a very short answer for Junius's important question: I do not either take an oath, or declare upon honour, that I have no place of profit, civil or military, when I receive the half pay as an Irish colonel. My most gracious Sovereign gives it me as a pension; he was pleased to think I deserved it. The annuity of two hundred pounds Irish, and the equivalent for the half pay together, produces no more than three hundred and eighty pounds per annum, clear of fees and perquisites of office. I receive one hundred and sixty-seven pounds from my government of Yarmouth. Total five hundred and forty-seven pounds per annum. My conscience is much at ease in these particulars; my friends need not blush for me.

Junius makes much and frequent use of interrogations: they are arms that may be easily turned

against himself. I could, by malicious interrogation, disturb the peace of the most virtuous man in the kingdom; I could take the decalogue, and say to one man, Did you never steal? To the next, Did you never commit murder? And to Junius himself, who is putting my life and conduct to the rack, Did you never bear false witness against thy neighbour? Junius must easily see that, unless he affirms to the contrary in his real name, some people who may be as ignorant of him as I am, will be apt to suspect him of having deviated a little from the truth: therefore let Junius ask no more questions. You bite against a file: cease, viper.

W. D.

LETTER VII.

TO

SIR WILLIAM DRAPER, K. B.

SIR, 3 March, 1769.

An academical education has given you an unlimited command over the most beautiful figures of speech. Masks, hatchets, racks, and vipers, dance through your letters in all the mazes of metaphorical confusion. These are the gloomy companions of a disturbed imagination; the melancholy madness of poetry, without the inspiration. I will not contend with you in point of composition. You are a scholar, Sir William; and, if I am truly informed, you write Latin with almost as much purity as English. Suffer me then, for I am a plain unlettered man, to continue that stile of interrogation which suits my capacity, and to which, considering the readiness of your answers, you ought to have no objection. Even Mr. Bingley[f] promises to answer, if put to the torture.

Do you then really think that, if I were to ask a most virtuous man whether he ever committed theft, or murder, it would disturb his peace of

mind? Such a question might perhaps discompose the gravity of his muscles, but I believe it would little affect the tranquillity of his conscience. Examine your own breast, Sir William, and you will discover that reproaches and inquiries have no power to afflict either the man of unblemished integrity, or the abandoned profligate. It is the middle compound character which alone is vulnerable: the man who, without firmness enough to avoid a dishonourable action, has feeling enough to be ashamed of it.

I thank you for the hint of the decalogue, and shall take an opportunity of applying it to some of your most virtuous friends in both houses of parliament.

You seem to have dropped the affair of your regiment; so let it rest. When you are appointed to another, I dare say you will not sell it either for a gross sum, or for an annuity upon lives.

I am truly glad (for really, Sir William, I am not your enemy, nor did I begin this contest with you) that you have been able to clear yourself of a crime, though at the expence of the highest indiscretion. You say that your half pay was given you by way of pension. I will not dwell upon the singularity of uniting in your own person two sorts of provision, which in their own nature, and in all mi-

litary and parliamentary views, are incompatible; but I call upon you to justify that declaration wherein you charge your Sovereign with having done an act in your favour notoriously against law. The half pay, both in Ireland and England, is appropriated by parliament; and if it be given to persons who, like you, are legally incapable of holding it, it is a breach of law. It would have been more decent in you to have called this dishonourable transaction by its true name; a job to accommodate two persons, by particular interest and management, at the castle. What sense must government have had of your services, when the rewards they have given you are only a disgrace to you!

And now, Sir William,[ε] I shall take my leave of you for ever. Motives very different from any apprehension of your resentment, make it impossible you should ever know me. In truth, you have some reason to hold yourself indebted to me. From the lessons I have given you, you may collect a profitable instruction for your future life. They will either teach you so to regulate your conduct as to be able to set the most malicious inquiries at defiance; or, if that be a lost hope, they will teach you prudence enough not to attract the public attention to a character which will only pass without censure when it passes without observation.

JUNIUS.

Kennerley sculp.

DUKE OF GRAFTON.

Published by Vernor & Hood, Oct.r 1, 1805.

LETTER VIII.

TO

THE DUKE OF GRAFTON.

MY LORD, 18 March, 1769.

BEFORE you were placed at the head of affairs, it had been a maxim of the English government, not unwillingly admitted by the people, that every ungracious or severe exertion of the prerogative, should be placed to the account of the Minister; but that, whenever an act of grace or benevolence was to be performed, the whole merit of it should be attributed to the Sovereign himself. It was a wise doctrine, my Lord, and equally advantageous to the King and his subjects; for while it preserved that suspicious attention with which the people ought always to examine the conduct of ministers, it tended at the same time rather to increase than diminish their attachment to the person of their Sovereign. If there be not a fatality attending every measure you are concerned in, by what treachery, or by what excess of folly has it hap-

pened, that those ungracious acts which have distinguished your administration, and which I doubt not were entirely your own, should carry with them a strong appearance of personal interest, and even of personal enmity, in a quarter where no such interest or enmity can be supposed to exist, without the highest injustice and the highest dishonour? On the other hand, by what judicious management have you contrived it, that the only act of mercy, to which you ever advised your Sovereign, far from adding to the lustre of a character, truly gracious and benevolent, should be received with universal disapprobation and disgust? I shall consider it as a ministerial measure, because it is an odious one, and as your measure, my Lord Duke, because you are the minister.

As long as the trial of this chairman was depending, it was natural enough that government should give him every possible encouragement and support. The honourable service for which he was hired, and the spirit with which he performed it, made common cause between your Grace and him. The minister, who by secret corruption invades the freedom of elections, and the ruffian, who by open violence destroys that freedom, are embarked in the same bottom. They have the same interests, and mutually feel for each other. To do justice to your Grace's humanity, you felt for Mac Quirk as you ought to do; and, if you had been contented to

assist him indirectly, without a notorious denial of justice, or openly insulting the sense of the nation, you might have satisfied every duty of political friendship, without committing the honour of your Sovereign, or hazarding the reputation of his government. But when this unhappy man had been solemnly tried, convicted, and condemned; when it appeared that he had been frequently employed in the same services, and that no excuse for him could be drawn either from the innocence of his former life, or the simplicity of his character, was it not hazarding too much to interpose the strength of the prerogative between this felon and the justice of his country?[h] You ought to have known that an example of this sort was never so necessary as at present; and certainly you must have known that the lot could not have fallen upon a more guilty object. What system of government is this? You are perpetually complaining of the riotous disposition of the lower class of people, yet when the laws have given you the means of making an example, in every sense unexceptionable, and by far the most likely to awe the multitude, you pardon the offence, and are not ashamed to give the sanction of government to the riots you complain of, and even to future murders. You are partial perhaps to the military mode of execution, and had rather see a score of these wretches butchered by the guards, than one of them suffer death by regular course of law. How does it happen, my Lord, that, in your hands,

even the mercy of the prerogative is cruelty and oppression to the subject?

The measure, it seems, was so extraordinary, that you thought it necessary to give some reasons for it to the public. Let them be fairly examined.

1. You say that Messrs. Bromfield and Starling were not examined at Mac Quirk's trial. I will tell your Grace why they were not. They must have been examined upon oath; and it was foreseen that their evidence would either not benefit, or might be prejudicial to the prisoner. Otherwise, is it conceivable that his counsel should neglect to call in such material evidence?

You say that Mr. Foot did not see the deceased until after his death. A surgeon, my Lord, must know very little of his profession if, upon examining a wound or a contusion, he cannot determine whether it was mortal or not. While the party is alive a surgeon will be cautious of pronouncing; whereas by the death of the patient he is enabled to consider both cause and effect in one view, and to speak with a certainty confirmed by experience.

Yet we are to thank your Grace for the establishment of a new tribunal. Your inquisitio post mortem is unknown to the laws of England, and does honour to your invention. The only material

objection to it is, that if Mr. Foot's evidence was sufficient, because he did not examine the wound till after the death of the party, much less can a negative opinion, given by gentlemen who never saw the body of Mr. Clarke either before or after his decease, authorise you to supersede the verdict of a jury, and the sentence of the law.

Now, my Lord, let me ask you, Has it never occurred to your Grace, while you were withdrawing this desperate wretch from that justice which the laws had awarded, and which the whole people of England demanded against him, that there is another man, who is the favourite of his country, whose pardon would have been accepted with gratitude, whose pardon would have healed all our divisions? Have you quite forgotten that this man was once your Grace's friend? Or is it to murderers only that you will extend the mercy of the crown?

These are questions you will not answer, nor is it necessary. The character of your private life, and the uniform tenour of your public conduct, is an answer to them all.

JUNIUS.

LETTER IX.

TO

HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 10 April, 1769.

I HAVE so good an opinion of your Grace's discernment, that when the author of the vindication of your conduct assures us that he writes from his own mere motion, without the least authority from your Grace, I should be ready enough to believe him, but for one fatal mark, which seems to be fixed upon every measure in which either your personal or your political character is concerned.—Your first attempt to support Sir William Proctor ended in the election of Mr. Wilkes; the second ensured success to Mr. Glynn. The extraordinary step you took to make Sir James Lowther lord paramount of Cumberland, has ruined his interest in that county for ever. The house list of directors was cursed with the concurrence of government; and even the miserable Dingley[1] could not escape the misfortune of your Grace's protection. With this uniform experience before us, we are au-

thorised to suspect, that when a pretended vindication of your principles and conduct in reality contains the bitterest reflections upon both, it could not have been written without your immediate direction and assistance. The author indeed calls God to witness for him, with all the sincerity and in the very terms of an Irish evidence, to the best of his knowledge and belief. My Lord, you should not encourage these appeals to Heaven. The pious Prince, from whom you are supposed to descend, made such frequent use of them in his public declarations, that at last the people also found it necessary to appeal to Heaven in their turn. Your administration has driven us into circumstances of equal distress; beware at least how you remind us of the remedy.

You have already much to answer for. You have provoked this unhappy gentleman to play the fool once more in public life, in spite of his years and infirmities, and to shew us that, as you yourself are a singular instance of youth without spirit, the man who defends you is a no less remarkable example of age without the benefit of experience. To follow such a writer minutely would, like his own periods, be a labour without end. The subject too has been already discussed, and is sufficiently understood. I cannot help observing, however, that, when the pardon of Mac Quirk was the principal charge against you, it would have been but a de-

cent compliment to your Grace's understanding to have defended you upon your own principles. What credit does a man deserve who tells us plainly that the facts set forth in the King's proclamation were not the true motives on which the pardon was granted, and that he wishes that those chirurgical reports which first gave occasion to certain doubts in the royal breast, had not been laid before his Majesty. You see, my Lord, that even your friends cannot defend your actions without changing your principles, nor justify a deliberate measure of government without contradicting the main assertion on which it was founded.

The conviction of Mac Quirk had reduced you to a dilemma in which it was hardly possible for you to reconcile your political interest with your duty. You were obliged either to abandon an active useful partisan, or to protect a felon from public justice. With your usual spirit you preferred your interest to every other consideration; and with your usual judgment you founded your determination upon the only motives which should not have been given to the public.

I have frequently censured Mr. Wilkes's conduct, yet your advocate reproaches me with having devoted myself to the service of sedition. Your Grace can best inform us for which of Mr. Wilkes's good qualities you first honoured him with your

friendship, or how long it was before you discovered those bad ones in him at which, it seems, your delicacy was offended. Remember, my Lord, that you continued your connexion with Mr. Wilkes long after he had been convicted of those crimes which you have since taken pains to represent in the blackest colours of blasphemy and treason. How unlucky is it that the first instance you have given us of a scrupulous regard to decorum is united with the breach of a moral obligation! For my own part, my Lord, I am proud to affirm that, if I had been weak enough to form such a friendship, I would never have been base enough to betray it. But, let Mr. Wilkes's character be what it may, this at least is certain, that, circumstanced as he is with regard to the public, even his vices plead for him. The people of England have too much discernment to suffer your Grace to take advantage of the failings of a private character, to establish a precedent by which the public liberty is affected, and which you may hereafter, with equal ease and satisfaction, employ to the ruin of the best men in the kingdom.—Content yourself, my Lord, with the many advantages which the unsullied purity of your own character has given you over your unhappy deserted friend. Avail yourself of all the unforgiving piety of the court you live in, and bless God that you 'are not as other men are; extortioners, unjust, 'adulterers, or even as this publican.' In a heart void of feeling the laws of honour and good faith

may be violated with impunity, and there you may safely indulge your genius. But the laws of England shall not be violated, even by your holy zeal to oppress a sinner; and, though you have succeeded in making him a tool, you shall not make him the victim of your ambition.

JUNIUS.

LETTER X.

TO

MR. EDWARD WESTON.

SIR, 21 April, 1769.

I SAID you were an old man without the benefit of experience. It seems you are also a volunteer with the stipend of twenty commissions; and, at a period when all prospects are at an end, you are still looking forward to rewards which you cannot enjoy. No man is better acquainted with the bounty of government than you are:

> ..... ton impudence,
> Temeraire vieillard, aura sa recompense.

But I will not descend to an altercation either with the impotence of your age, or the peevishness of your diseases. Your pamphlet, ingenious as it is, has been so little read, that the public cannot know how far you have a right to give me the lie without the following citation of your own words.

Page 6.—'1. That he is persuaded that the mo-

'tives which he (Mr. Weston) has alledged must 'appear fully sufficient, with or without the opi-'nions of the surgeons.'

'2. That those very motives must have been 'the foundation on which the Earl of Rochford 'thought proper,' &c.

'3. That he cannot but regret that the Earl of 'Rochford seems to have thought proper to lay the 'chirurgical reports before the King, in preference 'to all the other sufficient motives,' &c.

Let the public determine whether this be defending government on their principles or your own.

The style and language you have adopted are, I confess, not ill suited to the elegance of your own manners, or to the dignity of the cause you have undertaken. Every common dauber writes rascal and villain under his pictures, because the pictures themselves have neither character nor resemblance. But the works of a master require no index. His features and colouring are taken from nature. The impression they make is immediate and uniform; nor is it possible to mistake his characters, whether they represent the treachery of a minister, or the abused simplicity of a king.

JUNIUS.

LETTER XI.

TO

HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 24 April, 1769.

THE system you seemed to have adopted when Lord Chatham unexpectedly left you at the head of affairs, gave us no promise of that uncommon exertion of vigour which has since illustrated your character, and distinguished your administration. Far from discovering a spirit bold enough to invade the first rights of the people, and the first principles of the constitution, you were scrupulous of exercising even those powers with which the executive branch of the legislature is legally invested. We have not yet forgotten how long Mr. Wilkes was suffered to appear at large, nor how long he was at liberty to canvass for the city and county, with all the terrors of an outlawry hanging over him. Our gracious Sovereign has not yet forgotten the extraordinary care you took of his dignity and of the safety of his person, when, at a crisis which courtiers affected to call

alarming, you left the metropolis exposed for two nights together to every species of riot and disorder. The security of the royal residence from insult was then sufficiently provided for in Mr. Conway's firmness and Lord Weymouth's discretion; while the prime minister of Great Britain, in a rural retirement, and in the arms of faded beauty, had lost all memory of his Sovereign, his country, and himself. In these instances you might have acted with vigour, for you would have had the sanction of the laws to support you. The friends of government might have defended you without shame, and moderate men, who wish well to the peace and good order of society, might have had a pretence for applauding your conduct. But these it seems were not occasions worthy of your Grace's interposition. You reserved the proofs of your intrepid spirit for trials of greater hazard and importance; and now, as if the most disgraceful relaxation of the executive authority had given you a claim of credit to indulge in excesses still more dangerous, you seem determined to compensate amply for your former negligence, and to balance the non-execution of the laws with a breach of the constitution. From one extreme you suddenly start to the other, without leaving, between the weakness and the fury of the passions, one moment's interval for the firmness of the understanding.

These observations, general as they are, might

easily be extended into a faithful history of your Grace's administration, and perhaps may be the employment of a future hour. But the business of the present moment will not suffer me to look back to a series of events, which cease to be interesting or important, because they are succeeded by a measure so singularly daring, that it excites all our attention, and engrosses all our resentment.

Your patronage of Mr. Luttrell has been crowned with success. With this precedent before you, with the principles on which it was established, and with a future House of Commons, perhaps less virtuous than the present, every county in England, under the auspices of the treasury, may be represented as completely as the county of Middlesex. Posterity will be indebted to your Grace for not contenting yourself with a temporary expedient, but entailing upon them the immediate blessings of your administration. Boroughs were already too much at the mercy of government. Counties could neither be purchased nor intimidated. But their solemn determined election may be rejected, and the man they detest may be appointed, by another choice, to represent them in parliament. Yet it is admitted that the sheriffs obeyed the laws and performed their duty.[k] The return they made must have been legal and valid, or undoubtedly they would have been censured for making it. With every good-natured allowance for your Grace's

youth and inexperience, there are some things which you cannot but know. You cannot but know that the right of the freeholders to adhere to their choice (even supposing it improperly exerted) was as clear and indisputable as that of the House of Commons to exclude one of their own members: nor is it possible for you not to see the wide distance there is between the negative power of rejecting one man, and the positive power of appointing another. The right of expulsion, in the most favourable sense, is no more than the custom of parliament. The right of election is the very essence of the constitution. To violate that right, and much more to transfer it to any other set of men, is a step leading immediately to the dissolution of all government. So far forth as it operates, it constitutes a House of Commons which does not represent the people. A House of Commons so formed, would involve a contradiction and the grossest confusion of ideas; but there are some ministers, my Lord, whose views can only be answered by reconciling absurdities, and making the same proposition, which is false and absurd in argument, true in fact.

This measure, my Lord, is however attended with one consequence favourable to the people, which I am persuaded you did not foresee. While the contest lay between the ministry and Mr. Wilkes, his situation and private character gave

you advantages over him which common candour, if not the memory of your former friendship, should have forbidden you to make use of. To religious men you had an opportunity of exaggerating the irregularities of his past life; to moderate men you held forth the pernicious consequences of faction. Men who, with this character, looked no farther than to the object before them, were not dissatisfied at seeing Mr. Wilkes excluded from parliament. You have now taken care to shift the question; or, rather, you have created a new one, in which Mr. Wilkes is no more concerned than any other English gentleman. You have united this country against you on one grand constitutional point, on the decision of which our existence as a free people absolutely depends. You have asserted, not in words, but in fact, that the representation in parliament does not depend upon the choice of the freeholders. If such a case can possibly happen once, it may happen frequently; it may happen always: and if three hundred votes, by any mode of reasoning whatever, can prevail against twelve hundred, the same reasoning would equally have given Mr. Luttrell his seat with ten votes, or even with one. The consequences of this attack upon the constitution are too plain and palpable not to alarm the dullest apprehension. I trust you will find that the people of England are neither deficient in spirit nor understanding, though you have treated them as if they had neither sense to feel, nor spirit

to resent. We have reason to thank God and our ancestors, that there never yet was a minister in this country who could stand the issue of such a conflict; and, with every prejudice in favour of your intentions, I see no such abilities in your Grace as should enable you to succeed in an enterprise in which the ablest and basest of your predecessors have found their destruction. You may continue to deceive your gracious master with false representations of the temper and condition of his subjects. You may command a venal vote, because it is the common established appendage of your office. But never hope that the freeholders will make a tame surrender of their rights, or that an English army will join with you in overturning the liberties of their country. They know that their first duty, as citizens, is paramount to all subsequent engagements, nor will they prefer the discipline, nor even the honours of their profession, to those sacred original rights which belonged to them before they were soldiers, and which they claim and possess as the birthright of Englishmen.

Return, my Lord, before it be too late, to that easy insipid system which you first set out with. Take back your mistress;[1] the name of friend may be fatal to her, for it leads to treachery and persecution. Indulge the people. Attend Newmarket. Mr. Luttrell may again vacate his seat; and Mr. Wilkes, if not persecuted, will soon be forgotten.

To be weak and inactive is safer than to be daring and criminal; and wide is the distance between a riot of the populace and a convulsion of the whole kingdom. You may live to make the experiment, but no honest man can wish you should survive it.

JUNIUS.

LETTER XII.

TO

HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 30 May, 1769.

If the measures in which you have been most successful had been supported by any tolerable appearance of argument, I should have thought my time not ill employed in continuing to examine your conduct as a minister, and stating it fairly to the public. But when I see questions of the highest national importance carried as they have been, and the first principles of the constitution openly violated, without argument or decency, I confess I give up the cause in despair. The meanest of your predecessors had abilities sufficient to give a colour to their measures. If they invaded the rights of the people, they did not dare to offer a direct insult to their understanding; and, in former times, the most venal parliaments made it a condition, in their bargain with the minister, that he should furnish them with some plausible pretences for selling their country and themselves.

You have had the merit of introducing a more compendious system of government and logic. You neither address yourself to the passions, nor to the understanding, but simply to the touch. You apply yourself immediately to the feelings of your friends, who, contrary to the forms of parliament, never enter heartily into a debate until they have divided.

Relinquishing, therefore, all idle views of amendment to your Grace, or of benefit to the public, let me be permitted to consider your character and conduct merely as a subject of curious speculation. There is something in both which distinguishes you not only from all other ministers, but all other men. It is not that you do wrong by design, but that you should never do right by mistake. It is not that your indolence and your activity have been equally misapplied, but that the first uniform principle, or, if I may call it the genius of your life, should have carried you through every possible change and contradiction of conduct, without the momentary imputation or colour of a virtue; and that the wildest spirit of inconsistency should never once have betrayed you into a wise or honourable action. This, I own, gives an air of singularity to your fortune, as well as to your disposition. Let us look back together to a scene in which a mind like yours will find nothing to repent of. Let us try, my Lord, how well you have supported the va-

rious relations in which you stood to your sovereign, your country, your friends, and yourself. Give us, if it be possible, some excuse to posterity, and to ourselves, for submitting to your administration. If not the abilities of a great minister, if not the integrity of a patriot, or the fidelity of a friend, shew us, at least, the firmness of a man. For the sake of your mistress, the lover shall be spared. I will not lead her into public, as you have done, nor will I insult the memory of departed beauty. Her sex, which alone made her amiable in your eyes, makes her respectable in mine.

The character of the reputed ancestors of some men has made it possible for their descendants to be vicious in the extreme, without being degenerate. Those of your Grace, for instance, left no distressing examples of virtue, even to their legitimate posterity, and you may look back with pleasure to an illustrious pedigree, in which heraldry has not left a single good quality upon record to insult or upbraid you. You have better proofs of your descent, my Lord, than the register of a marriage, or any troublesome inheritance of reputation. There are some hereditary strokes of character by which a family may be as clearly distinguished as by the blackest features of the human face. Charles the First lived and died a hypocrite. Charles the Second was a hypocrite of another sort, and should have died upon the same scaffold. At the distance

of a century, we see their different characters happily revived, and blended in your Grace. Sullen and severe without religion, profligate without gaiety, you live like Charles the Second, without being an amiable companion, and, for aught I know, may die as his father did, without the reputation of a martyr.

You had already taken your degrees with credit in those schools in which the English nobility are formed to virtue, when you were introduced to Lord Chatham's protection. From Newmarket, White's, and the opposition, he gave you to the world with an air of popularity which young men usually set out with, and seldom preserve: grave and plausible enough to be thought fit for business; too young for treachery; and, in short, a patriot of no unpromising expectations. Lord Chatham was the earliest object of your political wonder and attachment; yet you deserted him upon the first hopes that offered of an equal share of power with Lord Rockingham. When the late Duke of Cumberland's first negociation failed, and when the favourite was pushed to the last extremity, you saved him by joining with an administration in which Lord Chatham had refused to engage. Still, however, he was your friend, and you are yet to explain to the world, why you consented to act without him, or why, after uniting with Lord Rockingham, you deserted and betrayed him. You complained that no

measures were taken to satisfy your patron, and that your friend, Mr. Wilkes, who had suffered so much for the party, had been abandoned to his fate. They have since contributed, not a little, to your present plenitude of power; yet, I think, Lord Chatham has less reason than ever to be satisfied; and as for Mr. Wilkes, it is, perhaps, the greatest misfortune of his life, that you should have so many compensations to make in the closet for your former friendship with him. Your gracious master understands your character, and makes you a persecutor, because you have been a friend.

Lord Chatham formed his last administration upon principles which you certainly concurred in, or you could never have been placed at the head of the treasury. By deserting those principles, and by acting in direct contradiction to them, in which he found you were secretly supported in the closet, you soon forced him to leave you to yourself, and to withdraw his name from an administration which had been formed on the credit of it. You had then a prospect of friendships better suited to your genius, and more likely to fix your disposition. Marriage is the point on which every rake is stationary at last; and truly, my Lord, you may well be weary of the circuit you have taken, for you have now fairly travelled through every sign in the political zodiac, from the Scorpion in which you stung Lord Chatham, to the hopes of a Virgin[m] in the

house of Bloomsbury. One would think that you had had sufficient experience of the frailty of nuptial engagements, or, at least, that such a friendship as the Duke of Bedford's, might have been secured to you by the auspicious marriage of your late Duchess with [n] his nephew. But ties of this tender nature cannot be drawn too close; and it may possibly be a part of the Duke of Bedford's ambition, after making her an honest woman, to work a miracle of the same sort upon your Grace. This worthy nobleman has long dealt in virtue. There has been a large consumption of it in his own family; and, in the way of traffic, I dare say, he has bought and sold more than half the representative integrity of the nation.

In a political view, this union is not imprudent. The favour of princes is a perishable commodity. You have now a strength sufficient to command the closet; and, if it be necessary to betray one friendship more, you may set even Lord Bute at defiance. Mr. Stuart Mackenzie may possibly remember what use the Duke of Bedford usually makes of his power; and our gracious Sovereign, I doubt not, rejoices at this first appearance of union among his servants. His late Majesty, under the happy influence of a family connexion between his ministers, was relieved from the cares of the government. A more active prince may perhaps observe, with suspicion, by what degrees an artful servant grows

upon his master, from the first unlimited professions of duty and attachment, to the painful representation of the necessity of the royal service, and soon, in regular progression, to the humble insolence of dictating in all the obsequious forms of peremptory submission. The interval is carefully employed in forming connexions, creating interests, collecting a party, and laying the foundation of double marriages; until the deluded prince, who thought he had found a creature prostituted to his service, and insignificant enough to be always dependent upon his pleasure, finds him at last too strong to be commanded, and too formidable to be removed.

Your Grace's public conduct, as a minister, is but the counter part of your private history; the same inconsistency, the same contradictions. In America we trace you, from the first opposition to the stamp act, on principles of convenience, to Mr. Pitt's surrender of the right; then forward to Lord Rockingham's surrender of the fact; then back again to Lord Rockingham's declaration of the right; then forward to taxation with Mr. Townshend; and in the last instance, from the gentle Conway's undetermined discretion, to blood and compulsion with the Duke of Bedford. Yet, if we may believe the simplicity of Lord North's eloquence, at the opening of the next session you are once more to be the patron of America. Is this the wisdom of a great minister? or is it the omi-

nous vibration of a pendulum? Had you no opinion of your own, my Lord? or was it the gratification of betraying every party with which you have been united, and of deserting every political principle in which you had concurred?

Your enemies may turn their eyes without regret from this admirable system of provincial government. They will find gratification enough in the survey of your domestic and foreign policy.

If, instead of disowning Lord Shelburne, the British court had interposed with dignity and firmness, you know, my Lord, that Corsica would never have been invaded. The French saw the weakness of a distracted ministry, and were justified in treating you with contempt. They would probably have yielded in the first instance, rather than hazard a rupture with this country; but, being once engaged, they cannot retreat without dishonour. Common sense foresees consequences which have escaped your Grace's penetration. Either we suffer the French to make an acquisition, the importance of which you have probably no conception of, or we oppose them by an underhand management, which only disgraces us in the eyes of Europe, without answering any purpose of policy or prudence. From secret, indirect assistance, a transition to some more open decisive measures becomes unavoidable; till at last we find ourselves principal in

the war, and are obliged to hazard every thing for an object, which might have originally been obtained without expence or danger. I am not versed in the politics of the north; but this I believe is certain, that half the money you have distributed to carry the expulsion of Mr. Wilkes, or even your secretary's share in the last subscription, would have kept the Turks at your devotion. Was it economy, my Lord? or did the coy resistance you have constantly met with in the British senate, make you despair of corrupting the Divan? Your friends, indeed, have the first claim upon your bounty, but if five hundred pounds a year can be spared in pension to Sir John Moore, it would not have disgraced you to have allowed something to the secret service of the public.

You will say, perhaps, that the situation of affairs at home demanded and engrossed the whole of your attention. Here, I confess, you have been active. An amiable, accomplished prince ascends the throne under the happiest of all auspices, the acclamations and united affections of his subjects. The first measures of his reign, and even the odium of a favourite, were not able to shake their attachment. Your services, my Lord, have been more successful. Since you were permitted to take the lead, we have seen the natural effects of a system of government at once both odious and contemptible. We have seen the laws sometimes scandalously

relaxed, sometimes violently stretched beyond their tone. We have seen the person of the Sovereign insulted; and in profound peace, and with an undisputed title, the fidelity of his subjects brought by his own servants into public question. Without abilities, resolution, or interest, you have done more than Lord Bute could accomplish with all Scotland at his heels.

Your Grace, little anxious perhaps either for present or future reputation, will not desire to be handed down in these colours to posterity. You have reason to flatter yourself that the memory of your administration will survive even the forms of a constitution, which our ancestors vainly hoped would be immortal; and as for your personal character, I will not, for the honour of human nature, suppose that you can wish to have it remembered. The condition of the present times is desperate indeed; but there is a debt due to those who come after us, and it is the historian's office to punish, though he cannot correct. I do not give you to posterity as a pattern to imitate, but as an example to deter; and as your conduct comprehends every thing that a wise or honest minister should avoid, I mean to make you a negative instruction to your successors for ever.

JUNIUS.

LETTER XIII.

ADDRESSED TO

THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 12 June, 1769.

THE Duke of Grafton's friends, not finding it convenient to enter into a contest with Junius, are now reduced to the last melancholy resource of defeated argument, the flat general charge of scurrility and falsehood. As for his style, I shall leave it to the critics. The truth of his facts is of more importance to the public. They are of such a nature, that I think a bare contradiction will have no weight with any man who judges for himself. Let us take them in the order in which they appear in his last letter.

1. Have not the first rights of the people, and the first principles of the constitution, been openly invaded, and the very name of an election made ridiculous, by the arbitrary appointment of Mr. Luttrell?

2. Did not the Duke of Grafton frequently lead his mistress into public, and even place her at the head of his table, as if he had pulled down an ancient temple of Venus, and could bury all decency and shame under the ruins?—Is this the man who dares to talk of Mr. Wilkes's morals?

3. Is not the character of his presumptive ancestors as strongly marked in him as if he had descended from them in a direct legitimate line? The idea of his death is only prophetic; and what is prophecy but a narrative preceding the fact?

4. Was not Lord Chatham the first who raised him to the rank and post of a minister, and the first whom he abandoned?

5. Did he not join with Lord Rockingham, and betray him?

6. Was he not the bosom friend of Mr. Wilkes, whom he now pursues to destruction?

7. Did he not take his degrees with credit at Newmarket, White's, and the opposition?

8. After deserting Lord Chatham's principles, and sacrificing his friendship, is he not now closely united with a set of men who, though they have occasionally joined with all parties, have in every

different situation, and at all times, been equally and constantly detested by this country?

9. Has not Sir John Moore a pension of five hundred pounds a year?—This may probably be an acquittance of favours upon the turf; but is it possible for a minister to offer a grosser outrage to a nation which has so very lately cleared away the beggary of the civil list, at the expence of more than half a million?

10. Is there any one mode of thinking or acting with respect to America, which the Duke of Grafton has not successively adopted and abandoned?

11. Is there not a singular mark of shame set upon this man, who has so little delicacy and feeling as to submit to the opprobrium of marrying a near relation of one who had debauched his wife?—In the name of decency, how are these amiable cousins to meet at their uncle's table?—It will be a scene in Œdipus, without the distress.—Is it wealth, or wit, or beauty, or is the amorous youth in love?

The rest is notorious. That Corsica has been sacrificed to the French; that in some instances the laws have been scandalously relaxed, and in others daringly violated; and that the King's subjects have been called upon to assure him of their fidelity, in spite of the measures of his servants.

A writer, who builds his arguments upon facts such as these, is not easily to be confuted. He is not to be answered by general assertions, or general reproaches. He may want eloquence to amuse and persuade, but, speaking truth, he must always convince.

PHILO JUNIUS.

LETTER XIV.

ADDRESSED TO

THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 22 June, 1769.

THE name of Old Noll is destined to be the ruin of the house of Stuart. There is an ominous fatality in it, which even the spurious descendants of the family cannot escape. Oliver Cromwell had the merit of conducting Charles the First to the block. Your correspondent, Old Noll, appears to have the same design upon the Duke of Grafton. His arguments consist better with the title he has assumed than with the principles he professes; for, though he pretends to be an advocate for the Duke, he takes care to give us the best reason why his patron should regularly follow the fate of his presumptive ancestor.—Through the whole course of the Duke of Grafton's life I see a strange endeavour to unite contradictions which cannot be reconciled. He marries to be divorced;

Miss P

he keeps a mistress to remind him of conjugal endearments, and he chooses such friends as it is virtue in him to desert. If it were possible for the genius of that accomplished president, who pronounced sentence upon Charles the First, to be revived in some modern sycophant,° his Grace, I doubt not, would by sympathy discover him among the dregs of mankind, and take him for a guide in those paths which naturally conduct the minister to the scaffold.

The assertion that two thirds of the nation approve of the acceptance of Mr. Luttrell (for even Old Noll is too modest to call it an election) can neither be maintained nor confuted by argument. It is a point of fact on which every English gentleman will determine for himself. As to lawyers, their profession is supported by the indiscriminate defence of right and wrong; and I confess I have not that opinion of their knowledge or integrity to think it necessary that they should decide for me upon a plain constitutional question. With respect to the appointment of Mr. Luttrell, the chancellor has never yet given any authentic opinion. Sir Fletcher Norton is indeed an honest, a very honest man; and the Attorney General is ex officio the guardian of liberty, to take care, I presume, that it shall never break out into a criminal excess. Doctor Blackstone is Solicitor to the Queen. The Doctor recollected that he had a place to preserve,

though he forgot that he had a reputation to lose. We have now the good fortune to understand the Doctor's principles as well as writings. For the defence of truth, of law, and reason, the Doctor's book may be safely consulted; but whoever wishes to cheat a neighbour of his estate, or to rob a country of its rights, need make no scruple of consulting the Doctor himself.

The example of the English nobility may, for aught I know, sufficiently justify the Duke of Grafton when he indulges his genius in all the fashionable excesses of the age; yet, considering his rank and station, I think it would do him more honour to be able to deny the fact than to defend it by such authority. But if vice itself could be excused, there is yet a certain display of it, a certain outrage to decency, and violation of public decorum, which, for the benefit of society, should never be forgiven. It is not that he kept a mistress at home, but that he constantly attended her abroad. It is not the private indulgence, but the public insult, of which I complain. The name of Miss Parsons would hardly have been known if the First Lord of the Treasury had not led her in triumph through the Opera House, even in the presence of the Queen. When we see a man act in this manner we may admit the shameless depravity of his heart, but what are we to think of his understanding?

His Grace, it seems, is now to be a regular domestic man, and, as an omen of the future delicacy and correctness of his conduct, he marries a first cousin of the man who had fixed that mark and title of infamy upon him which, at the same moment, makes a husband unhappy and ridiculous. The ties of consanguinity may possibly preserve him from the same fate a second time; and, as to the distress of meeting, I take for granted the venerable uncle of these common cousins has settled the etiquette in such a manner that, if a mistake should happen, it may reach no farther than from 'Madame ma femme' to 'Madame ma cousine.'

The Duke of Grafton has always some excellent reason for deserting his friends.—The age and incapacity of Lord Chatham; the debility of Lord Rockingham; or the infamy of Mr. Wilkes. There was a time indeed when he did not appear to be quite so well acquainted, or so violently offended, with the infirmities of his friends. But now I confess they are not ill exchanged for the youthful, vigorous virtue of the Duke of Bedford; the firmness of General Conway; the blunt, or if I may call it, the awkward integrity of Mr. Rigby; and the spotless morality of Lord Sandwich.

If a late pension to a broken gambler [P] be an act worthy of commendation, the Duke of Grafton's connexions will furnish him with many opportu-

nities of doing praise-worthy actions; and as he himself bears no part of the expence, the generosity of distributing the public money for the support of virtuous families in distress, will be an unquestionable proof of his Grace's humanity.

As to public affairs, Old Noll is a little tender of descending to particulars. He does not deny that Corsica has been sacrificed to France, and he confesses that, with regard to America, his patron's measures have been subject to some variation; but then he promises wonders of stability and firmness for the future. These are mysteries of which we must not pretend to judge by experience; and truly I fear we shall perish in the Desart before we arrive at the Land of Promise. In the regular course of things, the period of the Duke of Grafton's ministerial manhood should now be approaching. The imbecility of his infant state was committed to Lord Chatham. Charles Townshend took some care of his education at that ambiguous age which lies between the follies of political childhood and the vices of puberty. The empire of the passions soon succeeded. His earliest principles and connexions were of course forgotten or despised. The company he has lately kept has been of no service to his morals; and, in the conduct of public affairs, we see the character of his time of life strongly distinguished. An obstinate ungovernable self-sufficiency plainly points out to us that state of

imperfect maturity at which the graceful levity of youth is lost, and the solidity of experience not yet acquired. It is possible the young man may in time grow wiser, and reform; but, if I understand his disposition, it is not of such corrigible stuff that we should hope for any amendment in him before he has accomplished the destruction of this country. Like other rakes, he may perhaps live to see his error, but not until he has ruined his estate.

PHILO JUNIUS.

LETTER XV.

TO

HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 8 July, 1769.

If nature had given you an understanding qualified to keep pace with the wishes and principles of your heart, she would have made you, perhaps, the most formidable minister that ever was employed, under a limited monarch, to accomplish the ruin of a free people. When neither the feelings of shame, the reproaches of conscience, nor the dread of punishment, form any bar to the designs of a minister, the people would have too much reason to lament their condition, if they did not find some resource in the weakness of his understanding. We owe it to the bounty of Providence, that the completest depravity of the heart is sometimes strangely united with a confusion of the mind, which counteracts the most favourite principles, and makes the same man treacherous without art, and a hypocrite without deceiving.

The measures, for instance, in which your Grace's activity has been chiefly exerted, as they were adopted without skill, should have been conducted with more than common dexterity. But truly, my Lord, the execution has been as gross as the design. By one decisive step you have defeated all the arts of writing. You have fairly confounded the intrigues of opposition, and silenced the clamours of faction. A dark, ambiguous system might require and furnish the materials of ingenious illustration; and, in doubtful measures, the virulent exaggeration of party must be employed to rouse and engage the passions of the people. You have now brought the merits of your administration to an issue, on which every Englishman, of the narrowest capacity, may determine for himself. It is not an alarm to the passions, but a calm appeal to the judgment of the people, upon their own most essential interests. A more experienced minister would not have hazarded a direct invasion of the first principles of the constitution, before he had made some progress in subduing the spirit of the people. With such a cause as yours, my Lord, it is not sufficient that you have the court at your devotion, unless you can find means to corrupt or intimidate the jury. The collective body of the people form that jury, and from their decision there is but one appeal.

Whether you have talents to support you, at a

crisis of such difficulty and danger, should long since have been considered. Judging truly of your disposition, you have perhaps mistaken the extent of your capacity. Good faith and folly have so long been received as synonymous terms, that the reverse of the proposition has grown into credit, and every villain fancies himself a man of abilities. It is the apprehension of your friends, my Lord, that you have drawn some hasty conclusion of this sort, and that a partial reliance upon your moral character has betrayed you beyond the depth of your understanding. You have now carried things too far to retreat. You have plainly declared to the people what they are to expect from the continuance of your administration. It is time for your Grace to consider what you also may expect in return from their spirit and their resentment.

Since the accession of our most gracious Sovereign to the throne, we have seen a system of government which may well be called a reign of experiments. Parties of all denominations have been employed and dismissed. The advice of the ablest men in this country has been repeatedly called for and rejected; and when the royal displeasure has been signified to a minister, the marks of it have usually been proportioned to his abilities and integrity. The spirit of the favourite had some apparent influence upon every administration; and every set of ministers preserved an appearance of

BIBLIOTHECA BODLEIANA

Ridley sc

Marquis of Rockingham.

duration as long as they submitted to that influence. But there were certain services to be performed for the favourite's security, or to gratify his resentments, which your predecessors in office had the wisdom or the virtue not to undertake. The moment this refractory spirit was discovered, their disgrace was determined. Lord Chatham, Mr. Grenville, and Lord Rockingham, have successively had the honour to be dismissed for preferring their duty, as servants of the public, to those compliances which were expected from their station. A submissive administration was at last gradually collected from the deserters of all parties, interests, and connexions; and nothing remained but to find a leader for these gallant well-disciplined troops. Stand forth, my Lord, for thou art the man. Lord Bute found no resource of dependence or security in the proud, imposing superiority of Lord Chatham's abilities, the shrewd inflexible judgment of Mr. Grenville, nor in the mild but determined integrity of Lord Rockingham. His views and situation required a creature void of all these properties; and he was forced to go through every division, resolution, composition, and refinement of political chemistry, before he happily arrived at the caput mortuum of vitriol in your Grace. Flat and insipid in your retired state, but brought into action, you become vitriol again. Such are the extremes of alternate indolence or fury, which have governed your whole administration. Your circumstances

with regard to the people soon becoming desperate, like other honest servants, you determined to involve the best of masters in the same difficulties with yourself. We owe it to your Grace's well-directed labours, that your Sovereign has been persuaded to doubt of the affections of his subjects, and the people to suspect the virtues of their Sovereign, at a time when both were unquestionable. You have degraded the royal dignity into a base, dishonourable competition with Mr. Wilkes; nor had you abilities to carry even the last contemptible triumph over a private man, without the grossest violation of the fundamental laws of the constitution and rights of the people. But these are rights, my Lord, which you can no more annihilate than you can the soil to which they are annexed. The question no longer turns upon points of national honour and security abroad, or on the degrees of expedience and propriety of measures at home. It was not inconsistent that you should abandon the cause of liberty in another country, which you had persecuted in your own; and in the common arts of domestic corruption, we miss no part of Sir Robert Walpole's system except his abilities. In this humble imitative line, you might long have proceeded, safe and contemptible. You might probably never have risen to the dignity of being hated, and even have been despised with moderation. But it seems you meant to be distinguished, and, to a mind like yours, there was no other road to fame but by the

destruction of a noble fabric, which you thought had been too long the admiration of mankind. The use you have made of the military force introduced an alarming change in the mode of executing the laws. The arbitrary appointment of Mr. Luttrell invades the foundation of the laws themselves, as it manifestly transfers the right of legislation from those whom the people have chosen, to those whom they have rejected. With a succession of such appointments, we may soon see a House of Commons collected, in the choice of which the other towns and counties of England will have as little share as the devoted county of Middlesex.

Yet I trust your Grace will find that the people of this country are neither to be intimidated by violent measures, nor deceived by refinements. When they see Mr. Luttrell seated in the House of Commons by mere dint of power, and in direct opposition to the choice of a whole county, they will not listen to those subtleties by which every arbitrary exertion of authority is explained into the law and privilege of parliament. It requires no persuasion of argument, but simply the evidence of the senses, to convince them, that to transfer the right of election from the collective to the representative body of the people, contradicts all those ideas of a House of Commons which they have received from their forefathers, and which they had already, though vainly perhaps, delivered to their children. The

principles on which this violent measure has been defended, have added scorn to injury, and forced us to feel, that we are not only oppressed but insulted.

With what force, my Lord, with what protection are you prepared to meet the united detestation of the people of England? The city of London has given a generous example to the kingdom in what manner a king of this country ought to be addressed; and, I fancy my Lord, it is not yet in your courage to stand between your Sovereign and the addresses of his subjects. The injuries you have done this country are such as demand not only redress, but vengeance. In vain shall you look for protection to that venal vote which you have already paid for—another must be purchased; and, to save a minister, the House of Commons must declare themselves not only independent of their constituents, but the determined enemies of the constitution. Consider, my Lord, whether this be an extremity to which their fears will permit them to advance; or, if their protection should fail you, how far you are authorised to rely upon the sincerity of those smiles which a pious court lavishes without reluctance upon a libertine by profession. It is not indeed the least of the thousand contradictions which attend you, that a man, marked to the world by the grossest violation of all ceremony and decorum, should be the first servant of a court in

which prayers are morality, and kneeling is religion. Trust not too far to appearances, by which your predecessors have been deceived, though they have not been injured. Even the best of princes may at last discover, that this is a contention in which every thing may be lost, but nothing can be gained; and as you became minister by accident, were adopted without choice, trusted without confidence, and continued without favour, be assured that, whenever an occasion presses, you will be discarded without even the forms of regret. You will then have reason to be thankful if you are permitted to retire to that seat of learning which, in contemplation of the system of your life, the comparative purity of your manners with those of their high steward, and a thousand other recommending circumstances, has chosen you to encourage the growing virtue of their youth, and to preside over their education. Whenever the spirit of distributing prebends and bishopricks shall have departed from you, you will find that learned seminary perfectly recovered from the delirium of an installation, and, what in truth it ought to be, once more a peaceful scene of slumber and thoughtless meditation. The venerable tutors of the university will no longer distress your modesty by proposing you for a pattern to their pupils. The learned dulness of declamation will be silent; and even the venal muse, though happiest in fiction, will forget your virtues. Yet, for the benefit of the succeeding age, I could wish

that your retreat might be deferred until your morals shall happily be ripened to that maturity of corruption at which the worst examples cease to be contagious.

JUNIUS.

LETTER XVI.

TO

THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 July, 1769.

A GREAT deal of useless argument might have been saved in the political contest which has arisen from the expulsion of Mr. Wilkes, and the subsequent appointment of Mr. Luttrell, if the question had been once stated with precision, to the satisfaction of each party, and clearly understood by them both. But in this, as in almost every other dispute, it usually happens that much time is lost in referring to a multitude of cases and precedents which prove nothing to the purpose, or in maintaining propositions which are either not disputed, or, whether they be admitted or denied, are entirely indifferent as to the matter in debate; until at last the mind, perplexed and confounded with the endless subtleties of controversy, loses sight of the main question, and never arrives at truth. Both parties in the dispute are apt enough to practise these dishonest artifices. The man who is con-

scious of the weakness of his cause, is interested in concealing it; and, on the other side, it is not uncommon to see a good cause mangled by advocates who do not know the real strength of it.

I should be glad to know, for instance, to what purpose, in the present case, so many precedents have been produced to prove that the House of Commons have a right to expel one of their own members; that it belongs to them to judge of the validity of elections; or that the law of parliament is part of the law of the land? After all these propositions are admitted, Mr. Luttrell's right to his seat will continue to be just as disputable as it was before. Not one of them is at present in agitation. Let it be admitted that the House of Commons were authorised to expel Mr. Wilkes; that they are the proper court to judge of elections; and that the law of parliament is binding upon the people; still it remains to be inquired whether the house, by their resolution in favour of Mr. Luttrell, have or have not truly declared that law. To facilitate this inquiry, I would have the question cleared of all foreign or indifferent matter. The following state of it will probably be thought a fair one by both parties; and then I imagine there is no gentleman in this country, who will not be capable of forming a judicious and true opinion upon it. I take the question to be strictly this: 'Whether or no it be 'the known, established law of parliament, that

'the expulsion of a member of the House of Com-
'mons of itself creates in him such an incapacity
'to be re-elected, that, at a subsequent election,
'any votes given to him are null and void, and
'that any other candidate, who, except the person
'expelled, has the greatest number of votes, ought
'to be the sitting member.'

To prove that the affirmative is the law of parliament, I apprehend it is not sufficient for the present House of Commons to declare it to be so. We may shut our eyes indeed to the dangerous consequences of suffering one branch of the legislature to declare new laws, without argument or example, and it may perhaps be prudent enough to submit to authority; but a mere assertion will never convince, much less will it be thought reasonable to prove the right by the fact itself. The ministry have not yet pretended to such a tyranny over our minds. To support the affirmative fairly, it will either be necessary to produce some statute in which that positive provision shall have been made, that specific disability clearly created, and the consequences of it declared; or, if there be no such statute, the custom of parliament must then be referred to, and some case or cases,[q] strictly in point, must be produced, with the decision of the court upon them; for I readily admit that the custom of parliament, once clearly proved, is equally binding with the common and statute law.

The consideration of what may be reasonable or unreasonable makes no part of this question. We are inquiring what the law is, not what it ought to be. Reason may be applied to shew the impropriety or expedience of a law, but we must have either statute or precedent to prove the existence of it. At the same time I do not mean to admit that the late resolution of the House of Commons is defensible on general principles of reason, any more than in law. This is not the hinge on which the debate turns.

Supposing, therefore, that I have laid down an accurate state of the question, I will venture to affirm, 1st, That there is no statute existing by which that specific disability which we speak of is created. If there be, let it be produced. The argument will then be at an end.

2dly, That there is no precedent in all the proceedings of the House of Commons which comes entirely home to the present case, viz. 'where an 'expelled member has been returned again, and 'another candidate, with an inferior number of 'votes, has been declared the sitting member.' If there be such a precedent, let it be given to us plainly, and I am sure it will have more weight than all the cunning arguments which have been drawn from inferences and probabilities.

The ministry, in that laborious pamphlet which I presume contains the whole strength of the party, have declared,' 'That Mr. Walpole's was the first 'and only instance, in which the electors of any 'county or borough, had returned a person expelled 'to serve in the same parliament.' It is not possible to conceive a case more exactly in point. Mr. Walpole was expelled, and, having a majority of votes at the next election, was returned again. The friends of Mr. Taylor, a candidate set up by the ministry, petitioned the house that he might be the sitting member. Thus far the circumstances tally exactly, except that our House of Commons saved Mr. Luttrell the trouble of petitioning. The point of law however was the same. It came regularly before the house, and it was their business to determine upon it. They did determine it, for they declared Mr. Taylor not duly elected. If it be said that they meant this resolution as matter of favour and indulgence to the borough which had retorted Mr. Walpole upon them, in order that the burgesses, knowing what the law was, might correct their error; I answer,

I. That it is a strange way of arguing to oppose a supposition, which no man can prove, to a fact which proves itself.

II. That if this were the intention of the House of Commons, it must have defeated itself. The

burgesses of Lynn could never have known their error, much less could they have corrected it by any instruction they received from the proceedings of the House of Commons. They might perhaps have foreseen, that, if they returned Mr. Walpole again, he would again be rejected; but they never could infer, from a resolution by which the candidate with the fewest votes was declared not duly elected, that, at a future election, and in similar circumstances, the House of Commons would reverse their resolution, and receive the same candidate as duly elected, whom they had before rejected.

This indeed would have been a most extraordinary way of declaring the law of parliament, and what I presume no man, whose understanding is not at cross-purposes with itself, could possibly understand.

If, in a case of this importance, I thought myself at liberty to argue from suppositions rather than from facts, I think the probability, in this instance, is directly the reverse of what the ministry affirm; and that it is much more likely that the House of Commons at that time would rather have strained a point in favour of Mr. Taylor, than that they would have violated the law of parliament, and robbed Mr. Taylor of a right legally vested in him, to gratify a refractory borough, which, in de-

fiance of them, had returned a person branded with the strongest mark of the displeasure of the house.

But really, Sir, this way of talking, for I cannot call it argument, is a mockery of the common understanding of the nation, too gross to be endured. Our dearest interests are at stake. An attempt has been made, not merely to rob a single county of its rights, but, by inevitable consequence, to alter the constitution of the House of Commons. This fatal attempt has succeeded, and stands as a precedent recorded for ever. If the ministry are unable to defend their cause by fair argument founded on facts, let them spare us at least the mortification of being amused and deluded like children. I believe there is yet a spirit of resistance in this country, which will not submit to be oppressed; but I am sure there is a fund of good sense in this country, which cannot be deceived.

JUNIUS.

LETTER XVII.

TO

THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 1 August, 1769.

It will not be necessary for Junius to take the trouble of answering your correspondent G. A. or the quotation from a speech without doors published in your paper of the 28th of last month. The speech appeared before Junius's letter, and as the author seems to consider the great proposition, on which all his argument depends, viz. that Mr. Wilkes was under that known legal incapacity, of which Junius speaks as a point granted, his speech is, in no shape, an answer to Junius, for this is the very question in debate.

As to G. A. I observe first, that if he did not admit Junius's state of the question, he should have shewn the fallacy of it, or given us a more exact

one; secondly, that, considering the many hours and days which the ministry and their advocates have wasted in public debate, in compiling large quartos, and collecting innumerable precedents, expressly to prove that the late proceedings of the House of Commons are warranted by the law, custom, and practice of parliament, it is rather an extraordinary supposition, to be made by one of their own party even for the sake of argument, that no such statute, no such custom of parliament, no such case in point, can be produced. G. A. may however make the supposition with safety. It contains nothing, but literally the fact, except that there is a case exactly in point, with a decision of the House, diametrically opposite to that which the present House of Commons came to in favour of Mr. Luttrell.

The ministry now begin to be ashamed of the weakness of their cause, and, as it usually happens with falsehood, are driven to the necessity of shifting their ground, and changing their whole defence. At first we were told that nothing could be clearer than that the proceedings of the House of Commons were justified by the known law and uniform custom of parliament. But now it seems, if there be no law, the House of Commons have a right to make one, and if there be no precedent, they have a right to create the first; for this I presume is the amount of the questions

proposed to Junius. If your correspondent had been at all versed in the law of parliament, or generally in the laws of this country, he would have seen that this defence is as weak and false as the former.

The privileges of either house of parliament, it is true, are indefinite, that is, they have not been described or laid down in any one code or declaration whatsoever; but whenever a question of privilege has arisen, it has invariably been disputed or maintained upon the footing of precedents alone. In the course of the proceedings upon the Aylesbury election, the House of Lords resolved, 'That 'neither house of parliament had any power, by 'any vote or declaration, to create to themselves 'any new privilege that was not warranted by the 'known laws and customs of parliament.' And to this rule the House of Commons, though otherwise they had acted in a very arbitrary manner, gave their assent, for they affirmed that they had guided themselves by it, in asserting their privileges. Now, Sir, if this be true with respect to matters of privilege, in which the House of Commons, individually and as a body, are principally concerned, how much more strongly will it hold against any pretended power in that House to create or declare a new law, by which not only the rights of the House over their own member, and those of the member himself, are included, but also those of a

third and separate party, I mean the freeholders of the kingdom. To do justice to the ministry, they have not yet pretended that any one or any two of the three estates have power to make a new law, without the concurrence of the third. They know that a man who maintains such a doctrine, is liable, by statute, to the heaviest penalties. They do not acknowledge that the House of Commons have assumed a new privilege, or declared a new law. On the contrary, they affirm that their proceedings have been strictly conformable to and founded upon the ancient law and custom of parliament. Thus therefore the question returns to the point, at which Junius had fixed it, viz. Whether or no this be the law of parliament. If it be not, the House of Commons had no legal authority to establish the precedent; and the precedent itself is a mere fact, without any proof of right whatsoever.

Your correspondent concludes with a question of the simplest nature: Must a thing be wrong, because it has never been done before? No. But admitting it were proper to be done, that alone does not convey an authority to do it. As to the present case, I hope I shall never see the time when not only a single person, but a whole county, and in effect the entire collective body of the people, may again be robbed of their birthright by a vote of the House of Commons. But if, for reasons which I am unable to comprehend, it be necessary to trust

that House with a power so exorbitant and so unconstitutional, at least let it be given to them by an act of the legislature.

PHILO JUNIUS.

Heywood sculp.

JUDGE BLACKSTONE.

Published by Verner & Hood, Oct.r 1, 1805.

LETTER XVIII.

TO

SIR WILLIAM BLACKSTONE, SOLICITOR GENERAL TO HER MAJESTY.

SIR, 29 July, 1769.

I SHALL make you no apology for considering a certain pamphlet, in which your late conduct is defended, as written by yourself. The personal interest, the personal resentments, and, above all, that wounded spirit, unaccustomed to reproach, and I hope not frequently conscious of deserving it, are signals which betray the author to us as plainly as if your name were in the title page. You appeal to the public in defence of your reputation. We hold it, Sir, that an injury offered to an individual is interesting to society. On this principle the people of England made common cause with Mr. Wilkes. On this principle, if you are injured, they will join in your resentment. I shall not follow you through the insipid form of a third person, but address myself to you directly.

You seem to think the channel of a pamphlet more respectable and better suited to the dignity of your cause, than that of a newspaper. Be it so. Yet if newspapers are scurrilous, you must confess they are impartial. They give us, without any apparent preference, the wit and argument of the ministry, as well as the abusive dulness of the opposition. The scales are equally poised. It is not the printer's fault if the greater weight inclines the balance.

Your pamphlet then is divided into an attack upon Mr. Grenville's character, and a defence of your own. It would have been more consistent perhaps with your professed intention, to have confined yourself to the last. But anger has some claim to indulgence, and railing is usually a relief to the mind. I hope you have found benefit from the experiment. It is not my design to enter into a formal vindication of Mr. Grenville, upon his own principles. I have neither the honour of being personally known to him, nor do I pretend to be completely master of all the facts. I need not run the risk of doing an injustice to his opinions, or to his conduct, when your pamphlet alone carries upon the face of it a full vindication of both.

Your first reflection is, that Mr. Grenville was, of all men, the person who should not have complained of inconsistence with regard to Mr. Wilkes.

This, Sir, is either an unmeaning sneer, a peevish expression of resentment, or, if it means any thing, you plainly beg the question; for whether his parliamentary conduct with regard to Mr. Wilkes has or has not been inconsistent, remains yet to be proved. But it seems he received upon the spot a sufficient chastisement for exercising so unfairly his talents of misrepresentation. You are a lawyer, Sir, and know better than I do upon what particular occasions a talent for misrepresentation may be fairly exerted; but to punish a man a second time, when he has been once sufficiently chastised, is rather too severe. It is not in the laws of England; it is not in your own commentaries; nor is it yet, I believe, in the new law you have revealed to the House of Commons. I hope this doctrine has no existence but in your own heart. After all, Sir, if you had consulted that sober discretion which you seem to oppose with triumph to the honest jollity of a tavern, it might have occurred to you, that although you could have succeeded in fixing a charge of inconsistence upon Mr. Grenville, it would not have tended in any shape to exculpate yourself.

Your next insinuation, that Sir William Meredith had hastily adopted the false glosses of his new ally, is of the same sort with the first. It conveys a sneer as little worthy of the gravity of your character, as it is useless to your defence. It is of

little moment to the public to inquire, by whom the charge was conceived, or by whom it was adopted. The only question we ask is, whether or not it be true. The remainder of your reflections upon Mr. Grenville's conduct destroy themselves. He could not possibly come prepared to traduce your integrity to the House. He could not foresee that you would even speak upon the question, much less could he foresee that you would maintain a direct contradiction of that doctrine which you had solemnly, disinterestedly, and, upon soberest reflection, delivered to the public. He came armed indeed with what he thought a respectable authority, to support what he was convinced was the cause of truth, and I doubt not he intended to give you in the course of the debate an honourable and public testimony of his esteem. Thinking highly of his abilities, I cannot however allow him the gift of divination. As to what you are pleased to call a plan coolly formed to impose upon the House of Commons, and his producing it without provocation at midnight, I consider it as the language of pique and invective, therefore unworthy of regard. But, Sir, I am sensible I have followed your example too long, and wandered from the point.

The quotation from your commentaries is matter of record. It can neither be altered by your friends, nor misrepresented by your enemies; and I

Ridley sc

R.t Hon.ble George Grenville.

am willing to take your own word for what you have said in the House of Commons. If there be a real difference between what you have written and what you have spoken, you confess that your book ought to be the standard. Now, Sir, if words mean any thing, I apprehend that, when a long enumeration of disqualifications (whether by statute or the custom of parliament) concludes with these general comprehensive words, 'but subject to these restrictions and disqualifications, every subject of the 'realm is eligible of common right,' a reader of plain understanding, must of course rest satisfied that no species of disqualification whatsoever had been omitted. The known character of the author, and the apparent accuracy with which the whole work is compiled, would confirm him in his opinion; nor could he possibly form any other judgment, without looking upon your commentaries in the same light in which you consider those penal laws which, though not repealed, are fallen into disuse, and are now in effect a snare to the unwary.[u]

You tell us indeed that it was not part of your plan, to specify any temporary incapacity, and that you could not, without a spirit of prophecy, have specified the disability of a private individual subsequent to the period at which you wrote. What your plan was I know not: but what it should have been, in order to complete the work you have given

us, is by no means difficult to determine. The incapacity which you call temporary, may continue seven years; and, though you might not have foreseen the particular case of Mr. Wilkes, you might and should have foreseen the possibility of such a case, and told us how far the House of Commons were authorised to proceed in it by the law and custom of parliament. The freeholders of Middlesex would then have known what they had to trust to, and would never have returned Mr. Wilkes when Colonel Luttrell was a candidate against him. They would have chosen some indifferent person, rather than submit to be represented by the object of their contempt and detestation.

Your attempt to distinguish between disabilities which affect whole classes of men, and those which affect individuals only, is really unworthy of your understanding. Your commentaries had taught me that, although the instance, in which a penal law is exerted, be particular, the laws themselves are general. They are made for the benefit and instruction of the public, though the penalty falls only upon an individual. You cannot but know, Sir, that what was Mr. Wilkes's case yesterday may be yours or mine to-morrow, and that consequently the common right of every subject of the realm is invaded by it. Professing therefore to treat of the constitution of the House of Commons, and of the laws and customs relative to that constitution, you

certainly were guilty of a most unpardonable omission in taking no notice of a right and privilege of the House, more extraordinary and more arbitrary than all the others they possess put together. If the expulsion of a member, not under any legal disability, of itself creates in him an incapacity to be elected, I see a ready way marked out, by which the majority may at any time remove the honestest and ablest men who happen to be in opposition to them. To say that they will not make this extravagant use of their power, would be a language unfit for a man so learned in the laws as you are. By your doctrine, Sir, they have the power, and laws you know are intended to guard against what men may do, not to trust to what they will do.

Upon the whole, Sir, the charge against you is of a plain, simple nature: It appears even upon the face of your own pamphlet. On the contrary, your justification of yourself is full of subtlety and refinement, and in some places not very intelligible. If I were personally your enemy, I should dwell, with a malignant pleasure, upon those great and useful qualifications which you certainly possess, and by which you once acquired, though they could not preserve to you the respect and esteem of your country. I should enumerate the honours you have lost, and the virtues you have disgraced: but, having no private resentments to gratify, I

think it sufficient to have given my opinion of your public conduct, leaving the punishment it deserves to your closet and to yourself.

JUNIUS.

LETTER XIX.

ADDRESSED TO

THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 14 August, 1769.

A CORRESPONDENT of the St. James's Evening Post first wilfully misunderstands Junius, then censures him for a bad reasoner. Junius does not say that it was incumbent upon Doctor Blackstone to foresee, and state the crimes, for which Mr. Wilkes was expelled. If, by a spirit of prophecy, he had even done so, it would have been nothing to the purpose. The question is, not for what particular offences a person may be expelled, but generally whether by the law of parliament expulsion alone creates a disqualification. If the affirmative be the law of parliament, Doctor Blackstone might and should have told us so. The question is not confined to this or that particular person, but forms one great general branch of disqualification, too important in itself, and too extensive in its conse-

quences, to be omitted in an accurate work expressly treating of the law of parliament.

The truth of the matter is evidently this. Doctor Blackstone, while he was speaking in the House of Commons, never once thought of his Commentaries until the contradiction was unexpectedly urged, and stared him in the face. Instead of defending himself upon the spot, he sunk under the charge, in an agony of confusion and despair. It is well known that there was a pause of some minutes in the house, from a general expectation that the Doctor would say something in his own defence; but it seems his faculties were too much overpowered to think of those subtleties and refinements which have since occurred to him. It was then Mr. Grenville received that severe chastisement which the Doctor mentions with so much triumph. I wish the honourable gentleman, instead of shaking his head, would shake a good argument out of it. If to the elegance, novelty, and bitterness of this ingenious sarcasm, we add the natural melody of the amiable Sir Fletcher Norton's pipe, we shall not be surprised that Mr. Grenville was unable to make him any reply.

As to the Doctor, I would recommend it to him to be quiet. If not, he may perhaps hear again from Junius himself.

PHILO JUNIUS.

POSTSCRIPT to a Pamphlet entitled, 'An Answer to the Question stated.' Supposed to be written by Dr. Blackstone, Solicitor to the Queen, in answer to Junius's Letter.

SINCE these papers were sent to the press, a writer in the public papers, who subscribes himself Junius, has made a feint of bringing this question to a short issue. Though the foregoing observations contain, in my opinion at least, a full refutation of all that this writer has offered, I shall, however, bestow a very few words upon him. It will cost me very little trouble to unravel and expose the sophistry of his argument.

'I take the question,' says he, 'to be strictly this: 'Whether or no it be the known established law 'of parliament, that the expulsion of a member of 'the House of Commons of itself creates in him 'such an incapacity to be re-elected, that, at a sub-'sequent election, any votes given to him are null 'and void; and that any other candidate, who, ex-'cept the person expelled, has the greatest number 'of votes, ought to be the sitting member.'

Waving for the present any objection I may have to this state of the question, I shall venture to meet our champion upon his own ground, and attempt to support the affirmative of it in one of the two ways by which he says it can be alone fairly

supported. 'If there be no statute,' says he, 'in 'which the specific disability is clearly created, &c. '(and we acknowledge there is none) the custom 'of parliament must then be referred to, and some 'case or cases, strictly in point, must be produced, 'with the decision of the court upon them.' Now I assert that this has been done. Mr. Walpole's case is strictly in point to prove that expulsion creates absolute incapacity of being re-elected. This was the clear decision of the House upon it; and was a full declaration, that incapacity was the necessary consequence of expulsion. The law was as clearly and firmly fixed by this resolution, and is as binding in every subsequent case of expulsion, as if it had been declared by an express statute, 'That 'a member expelled by a resolution of the House 'of Commons shall be deemed incapable of being 're-elected.' Whatever doubt then there might have been of the law before Mr. Walpole's case, with respect to the full operation of a vote of expulsion, there can be none now. The decision of the House upon this case is strictly in point to prove, that expulsion creates absolute incapacity in law, of being re-elected.

But incapacity in law in this instance must have the same operation and effect with incapacity in law in every other instance. Now incapacity of being re-elected implies in its very terms, that any votes given to the incapable person, at a subsequent

election, are null and void. This is its necessary operation, or it has no operation at all. It is vox et præterea nihil. We can no more be called upon to prove this proposition, than we can to prove that a dead man is not alive, or that twice two are four. When the terms are understood, the proposition is self-evident.

Lastly, It is in all cases of election the known and established law of the land, grounded upon the clearest principles of reason and common sense, that if the votes given to one candidate are null and void, they cannot be opposed to the votes given to another candidate. They cannot affect the votes of such candidate at all. As they have, on the one hand, no positive quality to add or establish, so have they, on the other hand, no negative one to subtract or destroy. They are, in a word, a mere non-entity. Such was the determination of the House of Commons in the Malden and Bedford elections; cases strictly in point to the present question, as far as they are meant to be in point. And to say, that they are not in point, in all circumstances, in those particularly which are independent of the proposition which they are quoted to prove, is to say no more than that Malden is not Middlesex, nor Serjeant Comyns Mr. Wilkes.

Let us see then how our proof stands. Expulsion creates incapacity; incapacity annihilates any

votes given to the incapable person. The votes given to the qualified candidate stand upon their own bottom, firm, and untouched, and can alone have effect. This, one would think, would be sufficient. But we are stopped short, and told, that none of our precedents come home to the present case; and are challenged to produce 'a precedent 'in all the proceedings of the House of Commons 'that does come home to it; viz. where an ex-'pelled member has been returned again, and an-'other candidate, with an inferior number of votes, 'has been declared the sitting member.'

Instead of a precedent, I will beg leave to put a case; which, I fancy, will be quite as decisive to the present point. Suppose another Sacheverel (and every party must have its Sacheverel) should, at some future election, take it into his head to offer himself a candidate for the county of Middlesex. He is opposed by a candidate whose coat is of a different colour, but, however, of a very good colour. The divine has an indisputable majority; nay, the poor layman is absolutely distanced. The sheriff, after having had his conscience well informed by the reverend casuist, returns him, as he supposes, duly elected. The whole house is in an uproar at the apprehension of so strange an appearance amongst them. A motion, however, is at length made, that the person was incapable of being elected, that his election therefore is null and void, and that his

competitor ought to have been returned. No, says a great orator, first, shew me your law for this proceeding. 'Either produce me a statute, in which 'the specific disability of a clergyman is created; 'or produce me a precedent where a clergyman 'has been returned, and another candidate, with 'an inferior number of votes, has been declared the 'sitting member.' No such statute, no such precedent, to be found. What answer then is to be given to this demand? The very same answer which I will give to that of Junius: That there is more than one precedent in the proceedings of the House— 'where an incapable person has been returned, and 'another candidate, with an inferior number of 'votes, has been declared the sitting member; 'and that this is the known and established law 'in all cases of incapacity, from whatever cause it 'may arise.'

I shall now therefore beg leave to make a slight amendment to Junius's state of the question, the affirmative of which will then stand thus:

'It is the known and established law of parliament, that the expulsion of any member of the 'House of Commons, creates in him an incapacity 'of being re-elected; that any votes given to him 'at a subsequent election are, in consequence of 'such incapacity, null and void; and that any 'other candidate, who, except the person rendered

'incapable, has the greatest number of votes, ought 'to be the sitting member.'

But our business is not yet quite finished. Mr. Walpole's case must have a re-hearing. 'It is not 'possible,' says this writer, 'to conceive a case more 'exactly in point. Mr. Walpole was expelled, 'and having a majority of votes at the next elec- 'tion, was returned again. The friends of Mr. 'Taylor, a candidate set up by the ministry, peti- 'tioned the House that he might be the sitting 'member. Thus far the circumstances tally ex- 'actly, except that our House of Commons saved 'Mr. Luttrell the trouble of petitioning. The 'point of law, however, was the same. It came 'regularly before the House, and it was their busi- 'ness to determine upon it. They did determine it; 'for they declared Mr. Taylor not duly elected.'

Instead of examining the justness of this representation, I shall beg leave to oppose against it my own view of this case, in as plain a manner and as few words as I am able.

It was the known and established law of parliament, when the charge against Mr. Walpole came before the House of Commons, that they had power to expel, to disable, and to render incapable for offences. In virtue of this power they expelled him.

Had they, in the very vote of expulsion, adjudged him in terms to be incapable of being re-elected, there must have been at once an end with him. But though the right of the House, both to expel, and adjudge incapable, was clear and indubitable, it does not appear to me, that the full operation and effect of a vote of expulsion singly was so. The law in this case had never been expressly declared. There had been no event to call up such a declaration. I trouble not myself with the grammatical meaning of the word expulsion. I regard only its legal meaning. This was not, as I think, precisely fixed. The House thought proper to fix it, and explicitly to declare the full consequences of their former vote, before they suffered these consequences to take effect. And in this proceeding they acted upon the most liberal and solid principles of equity, justice, and law. What then did the burgesses of Lynn collect from the second vote? Their subsequent conduct will tell us: it will with certainty tell us, that they considered it as decisive against Mr. Walpole; it will also, with equal certainty, tell us, that, upon supposition that the law of election stood then as it does now, and that they knew it to stand thus, they inferred, 'that at a future election, and in case of 'a similar return, the House would receive the 'same candidate, as duly elected, whom they had 'before rejected.' They could infer nothing but this.

It is needless to repeat the circumstance of dissimilarity in the present case. It will be sufficient to observe, that as the law of parliament, upon which the House of Commons grounded every step of their proceedings, was clear beyond the reach of doubt, so neither could the freeholders of Middlesex be at a loss to foresee what must be the inevitable consequence of their proceedings in opposition to it. For upon every return of Mr. Wilkes the House made inquiry, whether any votes were given to any other candidate?

But I could venture, for the experiment's sake, even to give this writer the utmost he asks; to allow the most perfect similarity throughout in these two cases; to allow that the law of expulsion was quite as clear to the burgesses of Lynn as to the freeholders of Middlesex. It will, I am confident, avail his cause but little. It will only prove that the law of election at that time was different from the present law. It will prove that, in all cases of an incapable candidate returned, the law then was, that the whole election should be void. But now we know that this is not law. The cases of Malden and Bedford were, as has been seen, determined upon other and more just principles. And these determinations are, I imagine, admitted on all sides to be law.

I would willingly draw a veil over the remain-

ing part of this paper. It is astonishing, it is painful, to see men of parts and ability giving into the most unworthy artifices, and descending so much below their true line of character. But, if they are not the dupes of their sophistry (which is hardly to be conceived), let them consider that they are something much worse.

The dearest interests of this country are its laws and its constitution. Against every attack upon these there will, I hope, be always found amongst us the firmest spirit of resistance, superior to the united efforts of faction and ambition. For ambition, though it does not always take the lead of faction, will be sure in the end to make the most fatal advantage of it, and draw it to its own purposes. But, I trust, our day of trial is yet far off; and there is a fund of good sense in this country, which cannot long be deceived by the arts either of false reasoning or false patriotism.

LETTER XX.

TO

THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 8 August, 1769.

THE gentleman who has published an answer to Sir William Meredith's pamphlet, having honoured me with a postscript of six quarto pages, which he moderately calls bestowing a very few words upon me, I cannot, in common politeness, refuse him a reply. The form and magnitude of a quarto imposes upon the mind; and men who are unequal to the labour of discussing an intricate argument, or wish to avoid it, are willing enough to suppose that much has been proved, because much has been said. Mine, I confess, are humble labours. I do not presume to instruct the learned, but simply to inform the body of the people; and I prefer that channel of conveyance which is likely to spread farthest among them. The advocates of the ministry seem to me to write for fame, and to flatter themselves, that the size of their works will

make them immortal. They pile up reluctant quarto upon solid folio, as if their labours, because they are gigantic, could contend with truth and heaven.

The writer of the volume in question meets me upon my own ground. He acknowledges there is no statute by which the specific disability we speak of is created, but he affirms, that the custom of parliament has been referred to, and that a case strictly in point has been produced, with the decision of the court upon it. I thank him for coming so fairly to the point. He asserts, that the case of Mr. Walpole is strictly in point to prove that expulsion creates an absolute incapacity of being re-elected; and for this purpose he refers generally to the first vote of the House upon that occasion, without venturing to recite the vote itself. The unfair, disingenuous artifice of adopting that part of a precedent which seems to suit his purpose, and omitting the remainder, deserves some pity, but cannot excite my resentment. He takes advantage eagerly of the first resolution by which Mr. Walpole's incapacity is declared; but as to the two following, by which the candidate with the fewest votes was declared 'not duly elected,' and the election itself vacated, I dare say he would be well satisfied if they were for ever blotted out of the journals of the House of Commons. In fair argument, no part of a precedent should be admitted,

unless the whole of it be given to us together. The author has divided his precedent, for he knew that, taken together, it produced a consequence directly the reverse of that which he endeavours to draw from a vote of expulsion. But what will this honest person say if I take him at his word, and demonstrate to him, that the House of Commons never meant to found Mr. Walpole's incapacity upon his expulsion only? What subterfuge will then remain?

Let it be remembered that we are speaking of the intention of men who lived more than half a century ago, and that such intention can only be collected from their words and actions, as they are delivered to us upon record. To prove their designs by a supposition of what they would have done, opposed to what they actually did, is mere trifling and impertinence. The vote by which Mr. Walpole's incapacity was declared, is thus expressed, 'That 'Robert Walpole, Esq. having been this session of 'parliament committed a prisoner to the tower, 'and expelled this house for a breach of trust in the 'execution of his office, and notorious corruption 'when secretary at war, was and is incapable of 'being elected a member to serve in this present 'parliament.'x Now, Sir, to my understanding, no proposition of this kind can be more evident, than that the House of Commons, by this very vote, themselves understood, and meant to declare, that

Mr. Walpole's incapacity arose from the crimes he had committed, not from the punishment the House annexed to them. The high breach of trust, the notorious corruption, are stated in the strongest terms. They do not tell us that he was incapable because he was expelled, but because he had been guilty of such offences as justly rendered him unworthy of a seat in parliament. If they had intended to fix the disability upon his expulsion alone, the mention of his crimes in the same vote would have been highly improper. It could only perplex the minds of the electors, who, if they collected any thing from so confused a declaration of the law of parliament, must have concluded that their representative had been declared incapable because he was highly guilty, not because he had been punished. But, even admitting them to have understood it in the other sense, they must then, from the very terms of the vote, have united the idea of his being sent to the tower with that of his expulsion, and considered his incapacity as the joint effect of both.

I do not mean to give an opinion upon the justice of the proceedings of the House of Commons with regard to Mr. Walpole; but certainly, if I admitted their censure to be well founded, I could no way avoid agreeing with them in the consequence they drew from it. I could never have a doubt, in law or reason, that a man convicted of a high breach of trust, and of a notorious corruption, in the exe-

cution of a public office, was and ought to be incapable of sitting in the same parliament. Far from attempting to invalidate that vote, I should have wished that the incapacity declared by it could legally have been continued for ever.

Now, Sir, observe how forcibly the argument returns. The House of Commons, upon the face of their proceedings, had the strongest motives to declare Mr. Walpole incapable of being re-elected. They thought such a man unworthy to sit among them; to that point they proceeded and no farther, for they respected the rights of the people while they asserted their own. They did not infer from Mr. Walpole's incapacity, that his opponent was duly elected; on the contrary, they declared Mr. Taylor 'Not duly elected,' and the election itself void.

Such, however, is the precedent which my honest friend assures us is strictly in point to prove that expulsion of itself creates an incapacity of being elected. If it had been so, the present House of Commons should at least have followed strictly the example bofore them, and should have stated to us, in the same vote, the crimes for which they expelled Mr. Wilkes; whereas they resolve simply, that, 'having been expelled, he was and is incapa-'ble.' In this proceeding I am authorised to affirm they have neither statute, nor custom, nor reason, nor one single precedent, to support them. On

the other side, there is indeed a precedent so strongly in point, that all the inchanted castles of ministerial magic fall before it. In the year 1698 (a period which the rankest tory dare not except against) Mr. Wollaston was expelled, re-elected, and admitted to take his seat in the same parliament. The ministry have precluded themselves from all objections drawn from the cause of his expulsion, for they affirm absolutely, that expulsion of itself creates the disability. Now, Sir, let sophistry evade, let falsehood assert, and impudence deny—here stands the precedent, a land-mark to direct us through a troubled sea of controversy, conspicuous and unremoved.

I have dwelt the longer upon the discussion of this point, because, in my opinion, it comprehends the whole question. The rest is unworthy of notice. We are inquiring whether incapacity be or be not created by expulsion. In the cases of Bedford and Malden the incapacity of the persons returned was matter of public notoriety, for it was created by act of parliament. But, really Sir, my honest friend's suppositions are as unfavourable to him as his facts. He well knows that the clergy, besides that they are represented in common with their fellow subjects, have also a separate parliament of their own; that their incapacity to sit in the House of Commons has been confirmed by repeated decisions of the House, and that the law of parlia-

ment, declared by those decisions, has been for above two centuries notorious and undisputed. The author is certainly at liberty to fancy cases, and make whatever comparisons he thinks proper; his suppositions still continue as distant from fact as his wild discourses are from solid argument.

The conclusion of his book is candid to an extreme. He offers to grant me all I desire. He thinks he may safely admit that the case of Mr. Walpole makes directly against him, for it seems he has one grand solution in petto for all difficulties. If, says he, I were to allow all this, it will only prove that the law of election was different in Queen Anne's time from what it is at present.

This indeed is more than I expected. The principle, I know, has been maintained in fact, but I never expected to see it so formally declared. What can he mean? does he assume this language to satisfy the doubts of the people, or does he mean to rouse their indignation? Are the ministry daring enough to affirm that the House of Commons have a right to make and unmake the law of parliament at their pleasure? Does the law of parliament, which we are so often told is the law of the land—does the common right of every subject of the realm depend upon an arbitrary capricious vote of one branch of the legislature? The voice of truth and reason must be silent.

The ministry tell us plainly that this is no longer a question of right, but of power and force alone. What was law yesterday is not law to-day; and now it seems we have no better rule to live by than the temporary discretion and fluctuating integrity of the House of Commons.

Professions of patriotism are become stale and ridiculous. For my own part, I claim no merit from endeavouring to do a service to my fellow subjects. I have done it to the best of my understanding; and, without looking for the approbation of other men, my conscience is satisfied. What remains to be done concerns the collective body of the people. They are now to determine for themselves, whether they will firmly and constitutionally assert their rights, or make an humble slavish surrender of them at the feet of the ministry. To a generous mind there cannot be a doubt. We owe it to our ancestors to preserve entire these rights, which they have delivered to our care; we owe it to our posterity, not to suffer their dearest inheritance to be destroyed. But if it were possible for us to be insensible of these sacred claims, there is yet an obligation binding upon ourselves from which nothing can acquit us; a personal interest which we cannot surrender. To alienate even our own rights, would be a crime as much more enormous than suicide, as a life of civil security and freedom is superior to a bare existence; and if life be the bounty

of Heaven, we scornfully reject the noblest part of the gift if we consent to surrender that certain rule of living without which the condition of human nature is not only miserable, but contemptible.

JUNIUS.

Kennerley sculp.

DUKE OF BEDFORD.

Published by Verner & Hood, Oct.1.1805.

LETTER XXI.

TO

THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 22 August, 1769.

I MUST beg of you to print a few lines, in explanation of some passages in my last letter, which I see have been misunderstood.

1. When I said that the House of Commons never meant to found Mr. Walpole's incapacity on his expulsion only, I meant no more than to deny the general proposition, that expulsion alone creates the incapacity. If there be any thing ambiguous in the expression, I beg leave to explain it by saying that, in my opinion, expulsion neither creates, nor in any part contributes to create, the incapacity in question.

2. I carefully avoided entering into the merits of Mr. Walpole's case. I did not inquire, whether the House of Commons acted justly, or whether they

truly declared the law of parliament. My remarks went only to their apparent meaning and intention, as it stands declared in their own resolution.

3. I never meant to affirm that a commitment to the tower created a disqualification. On the contrary, I considered that idea as an absurdity, into which the ministry must inevitably fall, if they reasoned right upon their own principles.

The case of Mr. Wollaston speaks for itself. The ministry assert that expulsion alone creates an absolute, complete incapacity to be re-elected to sit in the same parliament. This proposition they have uniformly maintained, without any condition or modification whatsoever. Mr. Wollaston was expelled, re-elected, and admitted to take his seat, in the same parliament. I leave it to the public to determine, whether this be a plain matter of fact, or mere nonsense or declamation.

JUNIUS.

LETTER XXII.

TO

THE PRINTER OF THE PUBLIC ADVERTISER.

4 September, 1769.

ARGUMENT against FACT; or, A new system of political Logic, by which the ministry have demonstrated, to the satisfaction of their friends, that expulsion alone creates a complete incapacity to be re-elected; alias, that a subject of this realm may be robbed of his common right by a vote of the House of Commons.

FIRST FACT.

Mr. Wollaston, in 1698, was expelled, re-elected, and admitted to take his seat.

ARGUMENT.

As this cannot conveniently be reconciled with our general proposition, it may be necessary to shift

our ground, and look back to the cause of Mr. Wollaston's expulsion. From thence it will appear clearly that, 'although he was expelled, he had 'not rendered himself a culprit too ignominious to 'sit in parliament, and that having resigned his em-'ployment, he was no longer incapacitated by law.' Vide Serious Considerations, page 23.—Or thus, 'The House somewhat inaccurately used the word 'expelled; they should have called it a motion.' Vide Mungo's Case considered, page 11.—Or, in short, if these arguments should be thought insufficient, we may fairly deny the fact. For example; 'I affirm that he was not re-elected. The same 'Mr. Wollaston who was expelled, was not again 'elected. The same individual, if you please, 'walked into the house, and took his seat there, 'but the same person in law was not admitted a 'member of that parliament from which he has 'been discarded.' Vide Letter to Junius, page 12.

SECOND FACT.

Mr. Walpole having been committed to the tower and expelled for a high breach of trust and notorious corruption in a public office, was declared incapable, &c.

ARGUMENT.

From the terms of this vote, nothing can be more evident than that the House of Commons meant to fix the incapacity upon the punishment,

and not upon the crime; but, lest it should appear in a different light to weak, uninformed persons, it may be advisable to gut the resolution, and give it to the public, with all possible solemnity, in the following terms, viz. 'Resolved, that Robert Walpole, 'Esq. having been that session of parliament ex-'pelled the House, was and is incapable of being 'elected member to serve in that present parlia-'ment.' Vide Mungo on the Use of Quotations, page 11.

N. B. The author of the answer to Sir William Meredith seems to have made use of Mungo's quotation, for in page 18, he assures us, 'That the de-'claratory vote of the 17th of February, 1769, was 'indeed a literal copy of the resolution of the House 'in Mr. Walpole's case.'

THIRD FACT.

His opponent Mr. Taylor, having the smallest number of votes at the next election, was declared not duly elected.

ARGUMENT.

This fact we consider as directly in point to prove that Mr. Luttrell ought to be the sitting member, for the following reasons. 'The burgesses 'of Lynn could draw no other inference from this 'resolution but this, that at a future election, and 'in case of a similar return, the House would re-

'ceive the same candidate as duly elected whom 'they had before rejected.' Vide Postscript to Junius, page 37.—Or thus: 'This their resolution 'leaves no room to doubt what part they would 'have taken, if, upon a subsequent re-election of 'Mr. Walpole, there had been any other candidate 'in competition with him. For, by their vote, 'they could have no other intention than to admit 'such other candidate.' Vide Mungo's Case considered, page 39.—Or take it in this light.—The burgesses of Lynn having, in defiance of the House, retorted upon them a person whom they had branded with the most ignominious marks of their displeasure, were thereby so well entitled to favour and indulgence, that the House could do no less than rob Mr. Taylor of a right legally vested in him, in order that the burgesses might be apprised of the law of parliament; which law the House took a very direct way of explaining to them, by resolving that the candidate with the fewest votes was not duly elected: 'And was not this much more equitable, 'more in the spirit of that equal and substantial 'justice, which is the end of all law, than if they 'had violently adhered to the strict maxims of 'law?' Vide Serious Considerations, page 33 and 34.—'And if the present House of Commons had 'chosen to follow the spirit of this resolution, they 'would have received and established the candi-'date with the fewest votes.' Vide Answer to Sir W. M. page 18.

Permit me now, Sir, to shew you that the worthy Dr. Blackstone sometimes contradicts the ministry as well as himself. The speech without doors asserts, page 9, 'that the legal effect of an incapa-'city, founded on a judicial determination of a 'complete court, is precisely the same as that of an 'incapacity created by act of parliament.' Now for the Doctor. The law and the opinion of the judge are not always convertible terms, or one and the same thing; since it sometimes may happen that the judge may mistake the law. Commentaries, Vol. I. page 71.

The answer to Sir W. M. asserts, page 23, 'That the returning officer is not a judicial, but a 'purely ministerial officer. His return is no judi-'cial act.'—At 'em again, Doctor. The Sheriff, in his judicial capacity, is to hear and determine causes of forty shillings value and under in his county court. He has also a judicial power in divers other civil cases. He is likewise to decide the elections of knights of the shire (subject to the control of the House of Commons), to judge of the qualification of voters, and to return such as he shall determine to be duly elected. Vide Commentaries, Vol. I. page 332.

What conclusion shall we draw from such facts, and such arguments, such contradictions? I cannot express my opinion of the present ministry more

exactly than in the words of Sir Richard Steele, 'that we are governed by a set of drivellers, whose 'folly takes away all dignity from distress, and 'makes even calamity ridiculous.'

PHILO JUNIUS.

LETTER XXIII.

TO

HIS GRACE THE DUKE OF BEDFORD.

MY LORD, 19 Sept. 1769.

You are so little accustomed to receive any marks of respect or esteem from the public, that if in the following lines a compliment or expression of applause should escape me, I fear you would consider it as a mockery of your established character, and perhaps an insult to your understanding. You have nice feelings, my Lord, if we may judge from your resentments. Cautious therefore of giving offence where you have so little deserved it, I shall leave the illustration of your virtues to other hands. Your friends have a privilege to play upon the easiness of your temper, or possibly they are better acquainted with your good qualities than I am. You have done good by stealth. The rest is upon record. You have still left ample room for speculation, when panegyric is exhausted.

You are indeed a very considerable man. The highest rank; a splendid fortune; and a name, glorious till it was yours, were sufficient to have supported you with meaner abilities than I think you possess. From the first you derive a constitutional claim to respect; from the second a natural extensive authority; the last created a partial expectation of hereditary virtues. The use you have made of these uncommon advantages might have been more honourable to yourself, but could not be more instructive to mankind. We may trace it in the veneration of your country, the choice of your friends, and in the accomplishment of every sanguine hope which the public might have conceived from the illustrious name of Russel.

The eminence of your station gave you a commanding prospect of your duty. The road which led to honour was open to your view. You could not lose it by mistake, and you had no temptation to depart from it by design. Compare the natural dignity and importance of the highest peer of England; the noble independence which he might have maintained in parliament, and the real interest and respect which he might have acquired, not only in parliament, but through the whole kingdom; compare these glorious distinctions with the ambition of holding a share in government, the emoluments of a place, the sale of a borough, or the purchase of a corporation; and though you may

regret the virtues which create respect, you may see with anguish how much real importance and authority you have lost. Consider the character of an independent virtuous Duke of Bedford; imagine what he might be in this country, then reflect one moment upon what you are. If it be possible for me to withdraw my attention from the fact, I will tell you in theory what such a man might be.

Conscious of his own weight and importance, his conduct in parliament would be directed by nothing but the constitutional duty of a peer. He would consider himself as a guardian of the laws. Willing to support the just measures of government, but determined to observe the conduct of the minister with suspicion, he would oppose the violence of faction with as much firmness as the encroachments of prerogative. He would be as little capable of bargaining with the minister for places for himself, or his dependants, as of descending to mix himself in the intrigues of opposition. Whenever an important question called for his opinion in parliament, he would be heard, by the most profligate minister, with deference and respect. His authority would either sanctify or disgrace the measures of government. The people would look up to him as to their protector, and a virtuous prince would have one honest man in his dominions in whose integrity and judgment he might safely confide. If it should be the will of Providence to afflict

him with a domestic misfortune, he would submit to the stroke with feeling, but not without dignity. He would consider the people as his children, and receive a generous heartfelt consolation in the sympathising tears and blessings of his country.

Your Grace may probably discover something more intelligible in the negative part of this illustrious character. The man I have described would never prostitute his dignity in parliament by an indecent violence either in opposing or defending a minister. He would not at one moment rancorously persecute, at another basely cringe to, the favourite of his Sovereign. After outraging the royal dignity with peremptory conditions, little short of menace and hostility, he would never descend to the humility of soliciting an interview z with the favourite, and of offering to recover, at any price, the honour of his friendship. Though deceived perhaps in his youth, he would not, through the course of a long life, have invariably chosen his friends from among the most profligate of mankind. His own honour would have forbidden him from mixing his private pleasures or conversation with jockeys, gamesters, blasphemers, gladiators, or buffoons. He would then have never felt, much less would he have submitted to, the dishonest necessity of engaging in the interest and intrigues of his dependants, of supplying their vices, or relieving their beggary, at the expence of his country. He would not have

betrayed such ignorance, or such contempt of the constitution, as openly to avow in a court of justice the purchase and sale of a borough.[a] He would not have thought it consistent with his rank in the state, or even with his personal importance, to be the little tyrant of a little corporation.[b] He would never have been insulted with virtues, which he had laboured to extinguish, nor suffered the disgrace o a mortifying defeat, which has made him ridiculous and contemptible, even to the few by whom he was not detested. I reverence the afflictions of a good man, his sorrows are sacred. But how can we take part in the distresses of a man whom we can neither love nor esteem; or feel for a calamity of which he himself is insensible? Where was the father's heart when he could look for, or find an immediate consolation, for the loss of an only son, in consultations and bargains for a place at court, and even in the misery of balloting at the India house!

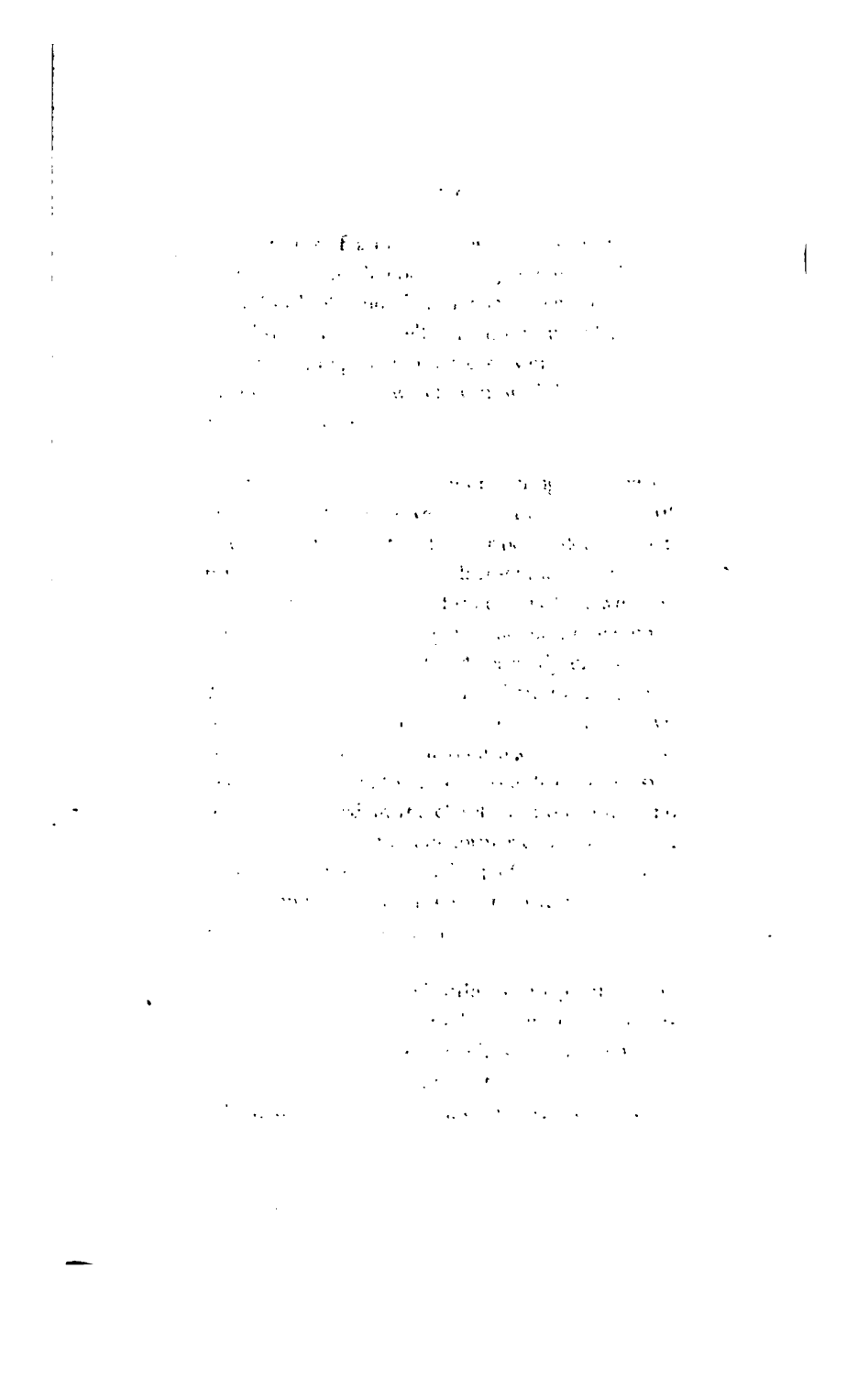
Admitting then that you have mistaken or deserted those honourable principles which ought to have directed your conduct; admitting that you have as little claim to private affection as to public esteem, let us see with what abilities, with what degree of judgment, you have carried your own system into execution. A great man, in the success and even in the magnitude of his crimes, finds a rescue from contempt. Your Grace is every way

unfortunate. Yet I will not look back to those ridiculous scenes by which, in your earlier days, you thought it an honour to be distinguished;[c] the recorded stripes, the public infamy, your own sufferings, or Mr. Rigby's fortitude. These events undoubtedly left an impression, though not upon your mind. To such a mind it may perhaps be a pleasure to reflect, that there is hardly a corner of any of his Majesty's kingdoms, except France, in which, at one time or other, your valuable life has not been in danger. Amiable man! we see and acknowledge the protection of Providence, by which you have so often escaped the personal detestation of your fellow subjects, and are still reserved for the public justice of your country.

Your history begins to be important at that auspicious period at which you were deputed to represent the Earl of Bute at the court of Versailles. It was an honourable office, and executed with the same spirit with which it was accepted. Your patrons wanted an ambassador who would submit to make concessions, without daring to insist upon any honourable condition for his Sovereign. Their business required a man who had as little feeling for his own dignity as for the welfare of his country; and they found him in the first rank of the nobility. Belleisle, Goree, Guadeloupe, St. Lucia, Martinique, the Fishery, and the Havanna, are glorious monuments of your Grace's talents for nego-

ciation. My Lord, we are too well acquainted with your pecuniary character, to think it possible that so many public sacrifices should have been made, without some private compensations. Your conduct carries with it an internal evidence, beyond all the legal proofs of a court of justice. Even the callous pride of Lord Egremont was alarmed.[d] He saw and felt his own dishonour in corresponding with you; and there certainly was a moment at which he meant to have resisted, had not a fatal lethargy prevailed over his faculties, and carried all sense and memory away with it.

I will not pretend to specify the secret terms on which you were invited to support an administration[e] which Lord Bute pretended to leave in full possession of their ministerial authority, and perfectly masters of themselves. He was not of a temper to relinquish power, though he retired from employment. Stipulations were certainly made between your Grace and him, and certainly violated. After two years submission, you thought you had collected a strength sufficient to controul his influence, and that it was your turn to be a tyrant, because you had been a slave. When you found yourself mistaken in your opinion of your gracious Master's firmness, disappointment got the better of all your humble discretion, and carried you to an excess of outrage to his person as distant from true spirit as from all decency and respect.[f] After robbing him



Ridley & Holl sc

Earl Temple

Pub by Vernor & Hood, Poultry, 4, June 1805.

of the rights of a king, you would not permit him to preserve the honour of a gentleman. It was then Lord Weymouth was nominated to Ireland, and dispatched (we well remember with what indecent hurry) to plunder the treasury of the first fruits of an employment which you well knew he was never to execute.[g]

This sudden declaration of war against the favourite might have given you a momentary merit with the public, if it had either been adopted upon principle or maintained with resolution. Without looking back to all your former servility, we need only observe your subsequent conduct, to see upon what motives you acted. Apparently united with Mr. Grenville, you waited until Lord Rockingham's feeble administration should dissolve in its own weakness. The moment their dismission was suspected, the moment you perceived that another system was adopted in the closet, you thought it no disgrace to return to your former dependence, and solicit once more the friendship of Lord Bute. You begged an interview, at which he had spirit enough to treat you with contempt.

It would now be of little use to point out by what a train of weak, injudicious measures, it became necessary, or was thought so, to call you back to a share in the administration.[h] The friends, whom you did not in the last instance desert, were

Ridley & Holl sc

Earl Temple

not of a character to add strength or credit to government; and at that time your alliance with the Duke of Grafton was, I presume, hardly foreseen. We must look for other stipulations, to account for that sudden resolution of the closet by which three of your dependants[1] (whose characters, I think, cannot be less respected than they are) were advanced to offices through which you might again controul the minister, and probably engross the whole direction of affairs.

The possession of absolute power is now once more within your reach. The measures you have taken to obtain and confirm it, are too gross to escape the eyes of a discerning judicious prince. His palace is besieged; the lines of circumvallation are drawing round him; and unless he finds a resource in his own activity, or in the attachment of the real friends of his family, the best of princes must submit to the confinement of a state prisoner until your Grace's death, or some less fortunate event shall raise the siege. For the present, you may safely resume that stile of insult and menace which even a private gentleman cannot submit to hear without being contemptible. Mr. Mackenzie's history is not yet forgotten, and you may find precedents enough of the mode in which an imperious subject may signify his pleasure to his Sovereign. Where will this gracious monarch look for assistance, when the wretched Grafton could forget his

obligations to his master, and desert him for a hollow alliance with such a man as the Duke of Bedford!

Let us consider you, then, as arrived at the summit of worldly greatness: let us suppose, that all your plans of avarice and ambition are accomplished, and your most sanguine wishes gratified in the fear, as well as the hatred, of the people. Can age itself forget that you are now in the last act of life? Can grey hairs make folly venerable? and is there no period to be reserved for meditation and retirement? For shame! my Lord: let it not be recorded of you, that the latest moments of your life were dedicated to the same unworthy pursuits, the same busy agitations, in which your youth and manhood were exhausted. Consider that, although you cannot disgrace your former life, you are violating the character of age, and exposing the impotent imbecility, after you have lost the vigour of the passions.

Your friends will ask perhaps, Whither shall this unhappy old man retire? Can he remain in the metropolis, where his life has been so often threatened, and his palace so often attacked? If he returns to Wooburn, scorn and mockery await him. He must create a solitude round his estate, if he would avoid the face of reproach and derision. At Plymouth, his destruction would be more than pro-

bable; at Exeter, inevitable. No honest Englishman will ever forget his attachment, nor any honest Scotchman forgive his treachery to Lord Bute. At every town he enters he must change his liveries and name. Whichever way he flies, the Hue and Cry of the country pursues him.

In another kingdom, indeed, the blessings of his administration have been more sensibly felt; his virtues better understood; or, at worst, they will not, for him alone, forget their hospitality. As well might Verres have returned to Sicily. You have twice escaped, my Lord; beware of a third experiment. The indignation of a whole people, plundered, insulted, and oppressed as they have been, will not always be disappointed.

It is in vain therefore to shift the scene. You can no more fly from your enemies than from yourself. Persecuted abroad, you look into your own heart for consolation, and find nothing but reproaches and despair. But, my Lord, you may quit the field of business, though not the field of danger; and though you cannot be safe, you may cease to be ridiculous. I fear you have listened too long to the advice of those pernicious friends with whose interests you have sordidly united your own, and for whom you have sacrificed every thing that ought to be dear to a man of honour. They are still base enough to encourage the follies of your

age, as they once did the vices of your youth. As little acquainted with the rules of decorum as with the laws of morality, they will not suffer you to profit by experience, nor even to consult the propriety of a bad character. Even now they tell you, that life is no more than a dramatic scene, in which the hero should preserve his consistency to the last, and that, as you lived without virtue, you should die without repentance.

JUNIUS.

LETTER XXIV.

TO

JUNIUS.

SIR, 14 September, 1769.

HAVING accidentally seen a republication of your letters, wherein you have been pleased to assert that I had sold the companions of my success, I am again obliged to declare the said assertion to be a most infamous and malicious falsehood; and I again call upon you to stand forth, avow yourself, and prove the charge. If you can make it out to the satisfaction of any one man in the kingdom, I will be content to be thought the worst man in it; if you do not, what must the nation think of you? Party has nothing to do in this affair: you have made a personal attack upon my honour, defamed me by a most vile calumny, which might possibly have sunk into oblivion, had not such uncommon pains been taken to renew and perpetuate this scandal, chiefly because it has been told in good language: for I give you full credit for your elegant diction, well turned periods, and attic wit; but wit is oftentimes false, though it may ap-

pear brilliant; which is exactly the case of your whole performance. But, Sir, I am obliged in the most serious manner to accuse you of being guilty of falsities. You have said the thing that is not. To support your story, you have recourse to the following irresistible argument: 'You sold the compa-'nions of your victory, because when the sixteenth 'regiment was given to you, you was silent. The 'conclusion is inevitable.' I believe that such deep and acute reasoning could only come from such an extraordinary writer as Junius. But, unfortunately for you, the premises as well as the conclusion are absolutely false. Many applications have been made to the ministry on the subject of the Manilla Ransom since the time of my being colonel of that regiment. As I have for some years quitted London, I was obliged to have recourse to the Honourable Colonel Monson and Sir Samuel Cornish to negociate for me; in the last autumn, I personally delivered a memorial to the Earl of Shelburne at his seat in Wiltshire. As you have told us of your importance, that you are a person of rank and fortune, and above a common bribe, you may in all probability be not unknown to his lordship, who can satisfy you of the truth of what I say. But I shall now take the liberty, Sir, to seize your battery, and turn it against yourself. If your puerile and tinsel logic could carry the least weight or conviction with it, how must you stand affected by the inevitable conclusion, as you are pleased to term it?

According to Junius, silence is guilt. In many of the public papers you have been called in the most direct and offensive terms a liar and a coward. When did you reply to these foul accusations? You have been quite silent; quite chop-fallen: therefore, because you was silent, the nation has a right to pronounce you to be both a liar and a coward from your own argument: but, Sir, I will give you fair play; will afford you an opportunity to wipe off the first appellation, by desiring the proofs of your charge against me. Produce them! To wipe off the last, produce yourself. People cannot bear any longer your lion's skin, and the despicable imposture of the old Roman name which you have affected. For the future assume the name of some modern bravo and dark assassin:[k] let your appellation have some affinity to your practice. But if I must perish, Junius, let me perish in the face of day; be for once a generous and open enemy. I allow that gothic appeals to cold iron are no better proofs of a man's honesty and veracity than hot iron and burning ploughshares are of female chastity: but a soldier's honour is as delicate as a woman's; it must not be suspected; you have dared to throw more than a suspicion upon mine: you cannot but know the consequences, which even the meekness of Christianity would pardon me for, after the injury you have done me.

WILLIAM DRAPER.

LETTER XXV.

Hæret lateri lethalis arundo.

TO

SIR WILLIAM DRAPER, K. B.

SIR, 25 September, 1769.

AFTER so long an interval, I did not expect to see the debate revived between us. My answer to your last letter shall be short; for I write to you with reluctance, and I hope we shall now conclude our correspondence for ever.

Had you been originally and without provocation attacked by an anonymous writer, you would have some right to demand his name. But in this cause you are a volunteer. You engaged in it with the unpremeditated gallantry of a soldier. You were content to set your name in opposition to a man who would probably continue in conceal-

Ridley Sc.

Sir William Draper.

ment. You understood the terms upon which we were to correspond, and gave at least a tacit assent to them. After voluntarily attacking me under the character of Junius, what possible right have you to know me under any other? Will you forgive me if I insinuate to you, that you foresaw some honour in the apparent spirit of coming forward in person, and that you were not quite indifferent to the display of your literary qualifications?

You cannot but know that the republication of my letters was no more than a catchpenny contrivance of a printer, in which it was impossible I should be concerned, and for which I am no way answerable. At the same time I wish you to understand, that if I do not take the trouble of reprinting these papers, it is not from any fear of giving offence to Sir William Draper.

Your remarks upon a signature adopted merely for distinction, are unworthy of notice; but when you tell me I have submitted to be called a liar and a coward, I must ask you in my turn, whether you seriously think it any way incumbent upon me to take notice of the silly invectives of every simpleton who writes in a newspaper; and what opinion you would have conceived of my discretion, if I had suffered myself to be the dupe of so shallow an artifice?

Your appeal to the sword, though consistent enough with your late profession, will neither prove your innocence nor clear you from suspicion. Your complaints with regard to the Manilla ransom were for a considerable time a distress to government. You were appointed (greatly out of your turn) to the command of a regiment, and during that administration we heard no more of Sir William Draper. The facts of which I speak may indeed be variously accounted for, but they are too notorious to be denied; and I think you might have learnt at the university, that a false conclusion is an error in argument, not a breach of veracity. Your solicitations, I doubt not, were renewed under another administration. Admitting the fact, I fear an indifferent person would only infer from it, that experience had made you acquainted with the benefits of complaining. Remember, Sir, that you have yourself confessed, that, considering the critical situation of this country, the ministry are in the right to temporise with Spain. This confession reduces you to an unfortunate dilemma. By renewing your solicitations, you must either mean to force your country into a war at a most unseasonable juncture; or, having no view or expectation of that kind, that you look for nothing but a private compensation to yourself.

As to me, it is by no means necessary, that I should be exposed to the resentment of the worst and

the most powerful men in this country, though I may be indifferent about yours. Though you would fight, there are others who would assassinate.

But after all, Sir, where is the injury? You assure me, that my logic is puerile and tinsel; that it carries not the least weight or conviction; that my premises are false and my conclusions absurd. If this be a just description of me, how is it possible for such a writer to disturb your peace of mind, or to injure a character so well established as yours? Take care, Sir William, how you indulge this unruly temper, lest the world should suspect that conscience has some share in your resentments. You have more to fear from the treachery of your own passions than from any malevolence of mine.

I believe, Sir, you will never know me. A considerable time must certainly elapse before we are personally acquainted. You need not, however, regret the delay, or suffer an apprehension that any length of time can restore you to the Christian meekness of your temper, and disappoint your present indignation. If I understand your character, there is in your own breast a repository in which your resentments may be safely laid up for future occasions, and preserved without the hazard of diminution. The odia in longum jaciens, quæ reconderet, auctaque promeret, I thought had only

belonged to the worst character of antiquity. The text is in Tacitus;—you know best where to look for the commentary.

JUNIUS.

LETTER XXVI.

A WORD AT PARTING TO JUNIUS.

SIR, 7 October, 1769.

As you have not favoured me with either of the explanations demanded of you, I can have nothing more to say to you upon my own account. Your mercy to me, or tenderness for yourself, has been very great. The public will judge of your motives. If your excess of modesty forbids you to produce either the proofs or yourself, I will excuse it. Take courage; I have not the temper of Tiberius, any more than the rank or power. You, indeed, are a tyrant of another sort, and upon your political bed of torture can excruciate any subject, from a first minister down to such a grub or butterfly as myself; like another detested tyrant of antiquity, can make the wretched sufferer fit the bed, if the bed will not fit the sufferer, by disjointing or tearing the trembling limbs until they are stretched to its extremity. But courage, constancy, and patience, under torments, have sometimes caused the most hardened monsters to relent, and forgive the

object of their cruelty. You, Sir, are determined to try all that human nature can endure until she expires: else, was it possible that you could be the author of that most inhuman letter to the Duke of Bedford I have read with astonishment and horror? Where, Sir, where were the feelings of your own heart, when you could upbraid a most affectionate father with the loss of his only and most amiable son? Read over again those cruel lines of yours, and let them wring your very soul! Cannot political questions be discussed without descending to the most odious personalities? Must you go wantonly out of your way to torment declining age, because the Duke of Bedford may have quarrelled with those whose cause and politics you espouse? For shame! for shame! As you have spoke daggers to him, you may justly dread the use of them against your own breast, did a want of courage, or of noble sentiments, stimulate him to such mean revenge. He is above it; he is brave. Do you fancy that your own base arts have infected our whole island? But your own reflections, your own conscience, must and will, if you have any spark of humanity remaining, give him most ample vengeance. Not all the power of words with which you are so graced, will ever wash out or even palliate this foul blot in your character. I have not time at present to dissect your letter so minutely as I could wish, but I will be bold enough to say, that it is (as to reason and argument) the most extraordinary piece

of florid impotence that was ever imposed upon the eyes and ears of the too credulous and deluded mob. It accuses the Duke of Bedford of high treason. Upon what foundation? You tell us, 'that the 'Duke's pecuniary character makes it more than 'probable, that he could not have made such sa- 'crifices at the peace, without some private com- 'pensations; that his conduct carried with it an 'interior evidence, beyond all the legal proofs of a 'court of justice.'

My academical education, Sir, bids me tell you that it is necessary to establish the truth of your first proposition, before you presume to draw inferences from it. First prove the avarice, before you make the rash, hasty, and most wicked conclusion. This father, Junius, whom you call avaricious, allowed that son eight thousand pounds a year. Upon his most unfortunate death, which your usual good-nature took care to remind him of, he greatly encreased the jointure of the afflicted lady his widow. Is this avarice? Is this doing good by stealth? It is upon record.

If exact order, method, and true economy, as a master of a family; if splendor and just magnificence, without wild waste and thoughtless extravagance, may constitute the character of an avaricious man, the Duke is guilty. But for a moment let us admit that an ambassador may love money too much;

what proof do you give that he has taken any to betray his country? Is it hearsay; or the evidence of letters, or ocular; or the evidence of those concerned in this black affair? Produce your authorities to the public. It is a most impudent kind of sorcery to attempt to blind us with the smoke, without convincing us that the fire has existed. You first brand him with a vice that he is free from, to render him odious and suspected. Suspicion is the foul weapon with which you make all your chief attacks; with that you stab. But shall one of the first subjects of the realm be ruined in his fame; shall even his life be in constant danger, from a charge built upon such sandy foundations? Must his house be besieged by lawless ruffians, his journies impeded, and even the asylum of an altar be insecure, from assertions so base and false? Potent as he is, the Duke is amenable to justice; if guilty, punishable. The parliament is the high and solemn tribunal for matters of such great moment. To that be they submitted. But I hope also that some notice will be taken of, and some punishment inflicted upon, false accusers, especially upon such, Junius, who are wilfully false. In any truth I will agree even with Junius; will agree with him that it is highly unbecoming the dignity of peers to tamper with boroughs. Aristocracy is as fatal as democracy. Our constitution admits of neither. It loves a King, Lords, and Commons really chosen by the unbought suffrages of a free people. But if cor-

ruption only shifts hands; if the wealthy commoner gives the bribe instead of the potent peer, is the state better served by this exchange? Is the real emancipation of the borough effected because new parchment bonds may possibly supersede the old? To say the truth, wherever such practices prevail, they are equally criminal to and destructive of our freedom.

The rest of your declamation is scarce worth considering, excepting for the elegance of the language. Like Hamlet in the play, you produce two pictures: you tell us that one is not like the Duke of Bedford; then you bring a most hideous caricature, and tell us of the resemblance; but multum abludit imago.

All your long tedious accounts of the ministerial quarrels, and the intrigues of the cabinet, are reducible to a few short lines; and to convince you, Sir, that I do not mean to flatter any minister, either past, or present, these are my thoughts: they seem to have acted like lovers, or children; have pouted, quarrelled, cried, kissed, and been friends again; as the objects of desire, the ministerial rattles, have been put into their hands. But such proceedings are very unworthy of the gravity and dignity of a great nation. We do not want men of abilities; but we have wanted steadiness; we want unanimity: your letters, Junius, will not contribute

thereto. You may one day expire by a flame of your own kindling. But it is my humble opinion that lenity and moderation, pardon and oblivion, will disappoint the efforts of all the seditious in the land, and extinguish their wide spreading fires. I have lived with this sentiment; with this I shall die.

WILLIAM DRAPER.

LETTER XXVII.

TO

THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 13 October, 1769.

If Sir William Draper's bed be a bed of torture, he has made it for himself. I shall never interrupt his repose. Having changed the subject, there are parts of his last letter not undeserving of a reply. Leaving his private character and conduct out of the question, I shall consider him merely in the capacity of an author whose labours certainly do no discredit to a newspaper.

We say, in common discourse, that a man may be his own enemy, and the frequency of the fact makes the expression intelligible. But that a man should be the bitterest enemy of his friends, implies a contradiction of a peculiar nature. There is something in it which cannot be conceived without a confusion of ideas, nor expressed without a solecism

in language. Sir William Draper is still that fatal friend Lord Granby found him. Yet I am ready to do justice to his generosity, if indeed it be not something more than generous to be the voluntary advocate of men who think themselves injured by his assistance, and to consider nothing in the cause he adopts but the difficulty of defending it. I thought, however, he had been better read in the history of the human heart than to compare or confound the tortures of the body with those of the mind. He ought to have known, though perhaps it might not be his interest to confess, that no outward tyranny can reach the mind. If conscience plays the tyrant, it would be greatly for the benefit of the world that she were more arbitrary, and far less placable, than some men find her.

But it seems I have outraged the feelings of a father's heart.—Am I indeed so injudicious? Does Sir William Draper think I would have hazarded my credit with a generous nation by so gross a violation of the laws of humanity? Does he think I am so little acquainted with the first and noblest characteristic of Englishmen? Or how will he reconcile such folly with an understanding so full of artifice as mine? Had he been a father, he would have been little offended with the severity of the reproach, for his mind would have been filled with the justice of it. He would have seen that I did not insult the feelings of a father, but the father who

felt nothing. He would have trusted to the evidence of his own paternal heart, and boldly denied the possibility of the fact, instead of defending it. Against whom then will his honest indignation be directed, when I assure him, that this whole town beheld the Duke of Bedford's conduct, upon the death of his son, with horror and astonishment. Sir William Draper does himself but little honour in opposing the general sense of his country. The people are seldom wrong in their opinions, in their sentiments they are never mistaken. There may be a vanity perhaps in a singular way of thinking; but when a man professes a want of those feelings which do honour to the multitude, he hazards something infinitely more important than the character of his understanding. After all, as Sir William may possibly be in earnest in his anxiety for the Duke of Bedford, I should be glad to relieve him from it. He may rest assured this worthy nobleman laughs, with equal indifference, at my reproaches, and Sir William's distress about him. But here let it stop. Even the Duke of Bedford, insensible as he is, will consult the tranquillity of his life, in not provoking the moderation of my temper. If, from the profoundest contempt, I should ever rise into anger, he should soon find that all I have already said of him was lenity and compassion.

Out of a long catalogue, Sir William Draper has confined himself to the refutation of two charges

only. The rest he had not time to discuss; and indeed it would have been a laborious undertaking. To draw up a defence of such a series of enormities, would have required a life at least as long as that which has been uniformly employed in the practice of them. The public opinion of the Duke of Bedford's extreme economy is, it seems, entirely without foundation. Though not very prodigal abroad, in his own family, at least, he is regular and magnificent. He pays his debts, abhors a beggar, and makes a handsome provision for his son. His charity has improved upon the proverb, and ended where it began. Admitting the whole force of this single instance of his domestic generosity (wonderful indeed, considering the narrowness of his fortune, and the little merit of his only son), the public may still perhaps be dissatisfied, and demand some other less equivocal proofs of his munificence. Sir William Draper should have entered boldly into the detail—of indigence relieved—of arts encouraged—of science patronized; men of learning protected, and works of genius rewarded; in short, had there been a single instance, besides Mr. Rigby, of blushing merit, brought forward by the Duke, for the service of the public, it should not have been omitted.

I wish it were possible to establish my inference with the same certainty on which I believe the principle is founded. My conclusion, however, was not drawn from the principle alone. I am not so un-

just as to reason from one crime to another; though I think that, of all the vices, avarice is most apt to taint and corrupt the heart. I combined the known temper of the man with the extravagant concessions made by the ambassador; and though I doubt not sufficient care was taken to leave no document of any treasonable negociation, I still maintain that the conduct[1] of this minister carries with it an internal and convincing evidence against him. Sir William Draper seems not to know the value or force of such a proof. He will not permit us to judge of the motives of men by the manifest tendency of their actions, nor by the notorious character of their minds. He calls for papers and witnesses with a triumphant security, as if nothing could be true but what could be proved in a court of justice. Yet a religious man might have remembered, upon what foundation some truths, most interesting to mankind, have been received and established. If it were not for the internal evidence which the purest of religions carries with it, what would have become of his once well quoted decalogue, and of the meekness of his Christianity?

The generous warmth of his resentment makes him confound the order of events. He forgets that the insults and distresses which the Duke of Bedford has suffered, and which Sir William has lamented with many delicate touches of the true

pathetic, were only recorded in my letter to his Grace, not occasioned by it. It was a simple, candid narrative of facts; though, for aught I know, it may carry with it something prophetic. His Grace undoubtedly has received several ominous hints; and I think, in certain circumstances, a wise man would do well to prepare himself for the event.

But I have a charge of a heavier nature against Sir William Draper. He tells us that the Duke of Bedford is amenable to justice; that parliament is a high and solemn tribunal; and that, if guilty, he may be punished by due course of law: and all this he says with as much gravity as if he believed one word of the matter. I hope, indeed, the day of impeachments will arrive before this nobleman escapes out of life; but to refer us to that mode of proceeding now, with such a ministry, and such a House of Commons as the present, what is it, but an indecent mockery of the common sense of the nation! I think he might have contented himself with defending the greatest enemy, without insulting the distresses, of his country.

His concluding declaration of his opinion, with respect to the present condition of affairs, is too loose and undetermined to be of any service to the public. How strange is it that this gentleman should dedicate so much time and argument to

the defence of worthless or indifferent characters, while he gives but seven solitary lines to the only subject which can deserve his attention, or do credit to his abilities.

JUNIUS.

LETTER XXVIII.

TO

THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 20 October, 1769.

I VERY sincerely applaud the spirit with which a lady has paid the debt of gratitude to her benefactor. Though I think she has mistaken the point, she shews a virtue which makes her respectable. The question turned upon the personal generosity or avarice of a man whose private fortune is immense. The proofs of his munificence must be drawn from the uses to which he has applied that fortune. I was not speaking of a Lord Lieutenant of Ireland, but of a rich English duke, whose wealth gave him the means of doing as much good in this country as he derived from his power in another. I am far from wishing to lessen the merit of this single benevolent action; perhaps it is the more conspicuous from standing alone. All I mean to say is, that it proves nothing in the present argument.

JUNIUS.

LETTER XXIX.

ADDRESSED TO

THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 19 October, 1769.

I AM well assured that Junius will never descend to a dispute with such a writer as Modestus (whose letter appeared in the Gazetteer of Monday), especially as the dispute must be chiefly about words. Notwithstanding the partiality of the public, it does not appear that Junius values himself upon any superior skill in composition, and I hope his time will always be more usefully employed than in the trifling refinements of verbal criticism. Modestus, however, shall have no reason to triumph in the silence and moderation of Junius. If he knew as much of the propriety of language as I believe he does of the facts in question, he would have been as cautious of attacking Junius upon his composition, as he seems to be of entering into the subject of it; yet, after all, the last is the only article of any importance to the public.

I do not wonder at the unremitted rancour with which the Duke of Bedford and his adherents invariably speak of a nation which we well know has been too much injured to be easily forgiven. But why must Junius be an Irishman? The absurdity of his writings betrays him. Waving all consideration of the insult offered by Modestus to the declared judgment of the people (they may well bear this among the rest), let us follow the several instances, and try whether the charge be fairly supported.

First, then, the leaving a man to enjoy such repose as he can find upon a bed of torture, is severe indeed; perhaps too much so when applied to such a trifler as Sir William Draper: but there is nothing absurd either in the idea or expression. Modestus cannot distinguish between a sarcasm and a contradiction.

2. I affirm with Junius, that it is the frequency of the fact which alone can make us comprehend how a man can be his own enemy. We should never arrive at the complex idea conveyed by those words, if we had only seen one or two instances of a man acting to his own prejudice. Offer the proposition to a child, or a man unused to compound his ideas, and you will soon see how little either of them understand you. It is not a simple idea arising from a single fact, but a very complex idea,

arising from many facts well observed, and accuratety compared.

3. Modestus could not, without great affectation, mistake the meaning of Junius when he speaks of a man who is the bitterest enemy of his friends. He could not but know that Junius spoke, not of a false or hollow friendship, but of a real intention to serve, and that intention producing the worst effects of enmity. Whether the description be strictly applicable to Sir William Draper is another question. Junius does not say that it is more criminal for a man to be the enemy of his friends than his own, though he might have affirmed it with truth. In a moral light a man may certainly take greater liberties with himself than with another. To sacrifice ourselves merely is a weakness we may indulge in if we think proper, for we do it at our own hazard and expence; but, under the pretence of friendship, to sport with the reputation, or sacrifice the honour of another, is something worse than weakness; and if, in favour of the foolish intention, we do not call it a crime, we must allow at least that it arises from an overweening, busy, meddling impudence. Junius says only, and he says truly, that it is more extraordinary, that it involves a greater contradiction than the other; and is it not a maxim received in life, that in general we can determine more wisely for others than for ourselves? The reason of it is so clear in argument, that it hardly wants the confir-

mation of experience. Sir William Draper, I confess, is an exception to the general rule, though not much to his credit.

4. If this gentleman will go back to his ethics, he may perhaps discover the truth of what Junius says, that no outward tyranny can reach the mind. The tortures of the body may be introduced, by way of ornament or illustration, to represent those of the mind, but strictly there is no similitude between them: they are totally different both in their cause and operation. The wretch who suffers upon the rack is merely passive; but when the mind is tortured, it is not at the command of any outward power. It is the sense of guilt which constitutes the punishment, and creates that torture with which the guilty mind acts upon itself.

5. He misquotes what Junius says of conscience, and makes the sentence ridiculous by making it his own.

So much for composition. Now for fact.—Junius it seems has mistaken the Duke of Bedford. His Grace had all the proper feelings of a father, though he took care to suppress the appearance of them. Yet it was an occasion, one would think, on which he need not have been ashamed of his grief; on which less fortitude would have done him more honour. I can conceive indeed a benevolent

motive for his endeavouring to assume an air of tranquillity in his own family, and I wish I could discover any thing in the rest of his character to justify my assigning that motive to his behaviour. But is there no medium? Was it necessary to appear abroad, to ballot at the India House, and make a public display, though it were only of an apparent insensibility?—I know we are treading on tender ground, and Junius, I am convinced, does not wish to urge this question farther. Let the friends of the Duke of Bedford observe that humble silence which becomes their situation. They should recollect that there are still some facts in store at which human nature would shudder. I shall be understood by those whom it concerns, when I say that these facts go farther than to the Duke.[m]

It is not inconsistent to suppose that a man may be quite indifferent about one part of a charge, yet severely stung with another; and though he feels no remorse, that he may wish to be revenged. The charge of insensibility carries a reproach indeed, but no danger with it. Junius had said there are others who would assassinate. Modestus, knowing his man, will not suffer the insinuation to be divided, but fixes it all upon the Duke of Bedford.

Without determining upon what evidence Junius would choose to be condemned, I will venture to maintain, in opposition to Modestus, or to Mr.

Rigby (who is certainly not Modestus), or any other of the Bloomsbury gang, that the evidence against the Duke of Bedford is as strong as any presumptive evidence can be. It depends upon a combination of facts and reasoning, which require no confirmation from the anecdote of the Duke of Marlborough. This anecdote was referred to merely to shew how ready a great man may be to receive a great bribe; and if Modestus could read the original, he would see that the expression, only not accepted, was probably the only one in our language that exactly fitted the case. The bribe offered to the Duke of Marlborough was not refused.

I cannot conclude without taking notice of this honest gentleman's learning, and wishing he had given us a little more of it. When he accidentally found himself so near speaking truth, it was rather unfair of him to leave out the non potuisse refelli. As it stands, the pudet hæc opprobria may be divided equally between Mr. Rigby and the Duke of Bedford. Mr. Rigby, I take for granted, will assert his natural right to the modesty of the quotation, and leave all the opprobrium to his Grace.

PHILO JUNIUS.

LETTER XXX.

TO

THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 17 October, 1769.

It is not wonderful that the great cause in which this country is engaged, should have roused and engrossed the whole attention of the people. I rather admire the generous spirit with which they feel and assert their interest in this important question, than blame them for their indifference about any other. When the constitution is openly invaded, when the first original right of the people, from which all laws derive their authority, is directly attacked, inferior grievances naturally lose their force, and are suffered to pass by without punishment or observation. The present ministry are as singularly marked by their fortune as by their crimes. Instead of atoning for their former conduct by any wise or popular measure, they have found, in the enormity of one fact, a cover and defence for a series of measures which must

have been fatal to any other administration. I fear we are too remiss in observing the whole of their proceedings. Struck with the principal figure, we do not sufficiently mark in what manner the canvas is filled up. Yet surely it is not a less crime, nor less fatal in its consequences, to encourage a flagrant breach of the law by a military force, than to make use of the forms of parliament to destroy the constitution. The ministry seem determined to give us a choice of difficulties, and, if possible, to perplex us with the multitude of their offences. The expedient is worthy of the Duke of Grafton. But though he has preserved a gradation and variety in his measures, we should remember that the principle is uniform. Dictated by the same spirit, they deserve the same attention. The following fact, though of the most alarming nature, has not yet been clearly stated to the public, nor have the consequences of it been sufficiently understood. Had I taken it up at an earlier period, I should have been accused of an uncandid, malignant precipitation, as if I watched for an unfair advantage against the ministry, and would not allow them a reasonable time to do their duty. They now stand without excuse. Instead of employing the leisure they have had in a strict examination of the offence, and punishing the offenders, they seem to have considered that indulgence as a security to them, that, with a little time and management, the whole affair might be buried in silence, and utterly forgotten.

A major general [n] of the army is arrested by the sheriffs officers for a considerable debt. He persuades them to conduct him to the Tilt-yard in St. James's park, under some pretence of business, which it imported him to settle before he was confined. He applies to a serjeant, not immediately on duty, to assist with some of his companions in favouring his escape. He attempts it. A bustle ensues. The bailiffs claim their prisoner. An officer [o] of the guards, not then on duty, takes part in the affair, applies to the lieutenant [p] commanding the Tilt-yard guard, and urges him to turn out his guard to relieve a general officer. The lieutenant declines interfering in person, but stands at a distance, and suffers the business to be done. The officer takes upon himself to order out the guard. In a moment they are in arms, quit their guard, march, rescue the general, and drive away the sheriffs officers, who in vain represent their right to the prisoner, and the nature of the arrest. The soldiers first conduct the general into the guard-room, then escort him to a place of safety, with bayonets fixed, and in all the forms of military triumph. I will not enlarge upon the various circumstances which attended this atrocious proceeding. The personal injury received by the officers of the law in the execution of their duty, may perhaps be atoned for by some private compensation. I consider nothing but the wound which has been given to the law itself, to which no remedy has been applied, no satisfaction made. Nei-

ther is it my design to dwell upon the misconduct of the parties concerned, any farther than is necessary to shew the behaviour of the ministry in its true light. I would make every compassionate allowance for the infatuation of the prisoner, the false and criminal discretion of one officer, and the madness of another. I would leave the ignorant soldiers entirely out of the question. They are certainly the least guilty, though they are the only persons who have yet suffered, even in the appearance of punishment.[q] The fact itself, however atrocious, is not the principal point to be considered. It might have happened under a more regular government, and with guards better disciplined than ours. The main question is, in what manner have the ministry acted on this extraordinary occasion. A general officer calls upon the king's own guard, then actually on duty, to rescue him from the laws of his country; yet at this moment he is in a situation no worse than if he had not committed an offence equally enormous in a civil and military view. A lieutenant upon duty designedly quits his guard, and suffers it to be drawn out by another officer, for a purpose which he well knew (as we may collect from an appearance of caution, which only makes his behaviour the more criminal) to be in the highest degree illegal. Has this gentleman been called to a court martial to answer for his conduct? No. Has it been censured? No. Has it been in any shape inquired into? No.—Another

lieutenant, not upon duty, nor even in his regimentals, is daring enough to order out the king's guard, over which he had properly no command, and engages them in a violation of the laws of his country, perhaps the most singular and extravagant that ever was attempted. What punishment has he suffered? Literally none. Supposing he should be prosecuted at common law for the rescue, will that circumstance, from which the ministry can derive no merit, excuse or justify their suffering so flagrant a breach of military discipline to pass by unpunished, and unnoticed? Are they aware of the outrage offered to their sovereign when his own proper guard is ordered out to stop by main force the execution of his laws? What are we to conclude from so scandalous a neglect of their duty, but that they have other views, which can only be answered by securing the attachment of the guards? The minister would hardly be so cautious of offending them, if he did not mean, in due time, to call for their assistance.

With respect to the parties themselves, let it be observed, that these gentlemen are neither young officers, nor very young men. Had they belonged to the unfledged race of ensigns who infest our streets, and dishonour our public places, it might perhaps be sufficient to send them back to that discipline from which their parents, judging lightly from the maturity of their vices, had removed them too soon,

In this case, I am sorry to see, not so much the folly of youths as the spirit of the corps, and the connivance of government. I do not question that there are many brave and worthy officers in the regiments of guards. But, considering them as a corps, I fear it will be found that they are neither good soldiers, nor good subjects. Far be it from me to insinuate the most distant reflection upon the army. On the contrary, I honour and esteem the profession; and if these gentlemen were better soldiers, I am sure they would be better subjects. It is not that there is any internal vice or defect in the profession itself, as regulated in this country, but that it is the spirit of this particular corps to despise their profession, and that while they vainly assume the lead of the army, they make it matter of impertinent comparison and triumph over the bravest troops in the world (I mean our marching regiments), that they indeed stand upon higher ground, and are privileged to neglect the laborious forms of military discipline and duty. Without dwelling longer upon a most invidious subject, I shall leave it to military men who have seen a service more active than the parade, to determine whether or no I speak truth.

How far this dangerous spirit has been encouraged by government, and to what pernicious purposes it may be applied hereafter, well deserves our most serious consideration. I know indeed, that

when this affair happened, an affectation of alarm ran through the ministry. Something must be done to save appearances. The case was too flagrant to be passed by absolutely without notice. But how have they acted? Instead of ordering the officers concerned (and who, strictly speaking, are alone guilty) to be put under arrest and brought to trial, they would have it understood, that they did their duty completely in confining a serjeant and four private soldiers until they should be demanded by the civil power; so that while the officers who ordered or permitted the thing to be done, escaped without censure, the poor men who obeyed those orders, who in a military view are no way responsible for what they did, and who for that reason have been discharged by the civil magistrates, are the only objects whom the ministry have thought proper to expose to punishment. They did not venture to bring even these men to a court martial, because they knew their evidence would be fatal to some persons whom they were determined to protect. Otherwise, I doubt not, the lives of these unhappy friendless soldiers would long since have been sacrificed without scruple to the security of their guilty officers.

I have been accused of endeavouring to enflame the passions of the people. Let me now appeal to their understanding. If there be any tool of administration daring enough to deny these facts, or

shameless enough to defend the conduct of the ministry, let him come forward. I care not under what title he appears. He shall find me ready to maintain the truth of my narrative, and the justice of my observations upon it, at the hazard of my utmost credit with the public.

Under the most arbitrary governments the common administration of justice is suffered to take its course. The subject, though robbed of his share in the legislature, is still protected by the laws. The political freedom of the English constitution was once the pride and honour of an Englishman. The civil equality of the laws preserved the property, and defended the safety of the subject. Are these glorious privileges the birthright of the people, or are we only tenants at the will of the ministry? But that I know there is a spirit of resistance in the hearts of my countrymen, that they value life, not by its conveniencies, but by the independence and dignity of their condition, I should, at this moment, appeal only to their discretion. I should persuade them to banish from their minds all memory of what we were; I should tell them this is not a time to remember that we were Englishmen; and give it as my last advice, to make some early agreement with the minister, that since it has pleased him to rob us of those political rights which once distinguished the inhabitants of a country where honour was happiness, he would

leave us at least the humble, obedient security of citizens, and graciously condescend to protect us in our submission.

JUNIUS.

LETTER XXXI.

TO

THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 14 November, 1769.

THE variety of remarks which have been made upon the last letter of Junius, and my own opinion of the writer, who, whatever may be his faults, is certainly not a weak man, have induced me to examine, with some attention, the subject of that letter. I could not persuade myself that, while he had plenty of important materials, he would have taken up a light or trifling occasion to attack the ministry; much less could I conceive that it was his intention to ruin the officers concerned in the rescue of General Gansel, or to injure the general himself. These are little objects, and can no way contribute to the great purposes he seems to have in view by addressing himself to the public. Without considering the ornamented style he has adopted, I determined to look farther into the matter before I decided upon the merits of his

letter. The first step I took was to inquire into the truth of the facts; for if these were either false or misrepresented, the most artful exertion of his understanding in reasoning upon them would only be a disgrace to him. Now, Sir, I have found every circumstance stated by Junius to be literally true. General Gansel persuaded the bailiffs to conduct him to the parade, and certainly solicited a corporal and other soldiers to assist him in making his escape. Captain Dodd did certainly apply to Captain Garth for the assistance of his guard. Captain Garth declined appearing himself, but stood aloof, while the other took upon him to order out the King's guard, and by main force rescued the general. It is also strictly true, that the general was escorted by a file of musqueteers to a place of security. These are facts, Mr. Woodfall, which I promise you no gentleman in the guards will deny. If all or any of them are false, why are they not contradicted by the parties themselves? However secure against military censure, they have yet a character to lose, and surely, if they are innocent, it is not beneath them to pay some attention to the opinion of the public.

The force of Junius's observations upon these facts cannot be better marked than by stating and refuting the objections which have been made to them. One writer says, 'Admitting the officers 'have offended, they are punishable at common

'law, and will you have a British subject punished 'twice for the same offence?' I answer, that they have committed two offences, both very enormous, and violated two laws. The rescue is one offence, the flagrant breach of discipline another; and hitherto it does not appear that they have been punished, or even censured, for either. Another gentleman lays much stress upon the calamity of the case, and, instead of disproving facts, appeals at once to the compassion of the public. This idea, as well as the insinuation, that depriving the parties of their commissions would be an injury to their creditors, can only refer to General Gansel. The other officers are in no distress, therefore have no claim to compassion, nor does it appear that their creditors, if they have any, are more likely to be satisfied by their continuing in the guards. But this sort of plea will not hold in any shape. Compassion to an offender who has grossly violated the laws, is in effect a cruelty to the peaceable subject who has observed them; and, even admitting the force of any alleviating circumstances, it is nevertheless true, that in this instance the royal compassion has interposed too soon. The legal and proper mercy of a King of England may remit the punishment, but ought not to stop the trial.

Besides these particular objections, there has been a cry raised against Junius for his malice and injustice in attacking the ministry upon an event

which they could neither hinder nor foresee. This, I must affirm, is a false representation of his argument. He lays no stress upon the event itself, as a ground of accusation against the ministry, but dwells entirely upon their subsequent conduct. He does not say that they are answerable for the offence, but for the scandalous neglect of their duty, in suffering an offence so flagrant to pass by without notice or inquiry. Supposing them ever so regardless of what they owe to the public, and as indifferent about the opinion as they are about the interests of their country, what answer, as officers of the crown, will they give to Junius when he asks them, Are they aware of the outrage offered to their Sovereign when his own proper guard is ordered out to stop by main force the execution of his laws? And when we see a ministry giving such a strange unaccountable protection to the officers of the guards, is it unfair to suspect that they have some secret and unwarrantable motives for their conduct? If they feel themselves injured by such a suspicion, why do they not immediately clear themselves from it by doing their duty? For the honour of the guards, I cannot help expressing another suspicion, that if the commanding officer had not received a secret injunction to the contrary, he would, in the ordinary course of his business, have applied for a court martial to try the two subalterns; the one for quitting his guard, the other for taking upon him the command of the guard, and employ-

ing it in the manner he did. I do not mean to enter into or defend the severity with which Junius treats the guards. On the contrary, I will suppose for a moment, that they deserve a very different character. If this be true, in what light will they consider the conduct of the two subalterns but as a general reproach and disgrace to the whole corps? And will they not wish to see them censured in a military way, if it were only for the credit and discipline of the regiment.

Upon the whole, Sir, the ministry seem to me to have taken a very improper advantage of the goodnature of the public, whose humanity, they found, considered nothing in this affair but the distress of General Gansel. They would persuade us that it was only a common rescue by a few disorderly soldiers, and not the formal deliberate act of the king's guard, headed by an officer; and the public has fallen into the deception. I think, therefore, we are obliged to Junius for the care he has taken to inquire into the facts, and for the just commentary with which he has given them to the world. For my own part, I am as unwilling as any man to load the unfortunate; but really, Sir, the precedent with respect to the guards is of a most important nature, and alarming enough (considering the consequences with which it may be attended) to deserve a parliamentary inquiry: when the guards are daring enough, not only to violate their own discipline, but

publicly, and with the most atrocious violence, to stop the execution of the laws, and when such extraordinary offences pass with impunity, believe me, Sir, the precedent strikes deep.

PHILO JUNIUS.

LETTER XXXII.

TO

THE PRINTER OF THE PUBLIC ADVERTISER.

SIR, 15 November, 1769.

I ADMIT the claim of a gentleman who publishes in the Gazetteer under the name of Modestus. He has some right to expect an answer from me: though, I think, not so much from the merit or importance of his objections, as from my own voluntary engagement. I had a reason for not taking notice of him sooner, which, as he is a candid person, I believe he will think sufficient. In my first letter I took for granted, from the time which had elapsed, that there was no intention to censure, or even to try the persons concerned in the rescue of General Gansel; but Modestus having since either affirmed, or strongly insinuated, that the offenders might still be brought to a legal trial, any attempt to prejudge the cause, or to prejudice the minds of a jury, or a court martial, would be highly improper.

A man more hostile to the ministry than I am, would not so often remind them of their duty. If the Duke of Grafton will not perform the duty of his station, why is he minister? I will not descend to a scurrilous altercation with any man; but this is a subject too important to be passed over with silent indifference. If the gentlemen whose conduct is in question are not brought to a trial, the Duke of Grafton shall hear from me again.

The motives on which I am supposed to have taken up this cause are of little importance, compared with the facts themselves, and the observations I have made upon them. Without a vain profession of integrity, which in these times might justly be suspected, I shall shew myself in effect a friend to the interests of my countrymen, and leave it to them to determine, whether I am moved by a personal malevolence to three private gentlemen, or merely by a hope of perplexing the ministry; or whether I am animated by a just and honourable purpose of obtaining a satisfaction to the laws of this country, equal, if possible, to the violation they have suffered.

JUNIUS.

LETTER XXXIII.

TO

HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 29 Nov. 1769.

THOUGH my opinion of your Grace's integrity was but little affected by the coyness with which you received Mr. Vaughan's proposals, I confess I give you some credit for your discretion. You had a fair opportunity of displaying a certain delicacy, of which you had not been suspected; and you were in the right to make use of it. By laying in a moderate stock of reputation, you undoubtedly meant to provide for the future necessities of your character, that with an honourable resistance upon record, you might safely indulge your genius, and yield to a favourite inclination with security. But you have discovered your purposes too soon; and, instead of the modest reserve of virtue, have shewn us the termagant chastity of a prude, who gratifies her passions with distinction, and prosecutes one lover for a rape, while she solicits the lewd embraces of another.

Your cheek turns pale; for a guilty conscience tells you, you are undone. Come forward, thou virtuous minister, and tell the world by what interest Mr. Hine has been recommended to so extraordinary a mark of his Majesty's favour; what was the price of the patent he has bought, and to what honourable purpose the purchase-money has been applied. Nothing less than many thousands could pay Colonel Burgoyne's expences at Preston. Do you dare to prosecute such a creature as Vaughan, while you are basely setting up the royal patronage to auction? Do you dare to complain of an attack upon your own honour, while you are selling the favours of the crown to raise a fund for corrupting the morals of the people? And do you think it possible such enormities should escape without impeachment? It is indeed highly your interest to maintain the present House of Commons. Having sold the nation to you in gross, they will undoubtedly protect you in the detail; for while they patronize your crimes, they feel for their own.

JUNIUS.

LETTER XXXIV.

TO

HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 12 Dec. 1769.

I FIND, with some surprise, that you are not supported as you deserve. Your most determined advocates have scruples about them which you are unacquainted with; and, though there be nothing too hazardous for your Grace to engage in, there are some things too infamous for the vilest prostitute of a newspaper to defend.[1] In what other manner shall we account for the profound, submissive silence which you and your friends have observed upon a charge which called immediately for the clearest refutation, and would have justified the severest measures of resentment? I did not attempt to blast your character by an indirect, ambiguous insinuation, but candidly stated to you a plain fact, which struck directly at the integrity of a privy counsellor, of a first commissioner of the treasury, and of a leading minister, who is

supposed to enjoy the first share in his Majesty's confidence.[t] In every one of these capacities I employed the most moderate terms to charge you with treachery to your Sovereign, and breach of trust in your office. I accused you of having sold a patent place in the collection of the customs at Exeter, to one Mr. Hine, who unable or unwilling to deposit the whole purchase-money himself, raised part of it by contribution, and has now a certain Doctor Brooke quartered upon the salary for one hundred pounds a year. No sale by the candle was ever conducted with greater formality. I affirm that the price at which the place was knocked down (and which I have good reason to think was not less than three thousand five hundred pounds) was, with your connivance and consent, paid to Colonel Burgoyne, to reward him, I presume, for the decency of his deportment at Preston; or to reimburse him, perhaps, for the fine of one thousand pounds which, for that very deportment, the court of King's Bench thought proper to set upon him. It is not often that the chief justice and the prime minister are so strangely at variance in their opinions of men and things.

I thank God there is not in human nature a degree of impudence daring enough to deny the charge I have fixed upon you. Your courteous secretary,[u] your confidential architect,[x] are silent as the grave. Even Mr. Rigby's countenance fails

him. He violates his second nature, and blushes whenever he speaks of you. Perhaps the noble Colonel himself will relieve you. No man is more tender of his reputation. He is not only nice, but perfectly sore in every thing that touches his honour. If any man, for example, were to accuse him of taking his stand at a gaming-table, and watching, with the soberest attention, for a fair opportunity of engaging a drunken young nobleman at piquet, he would undoubtedly consider it as an infamous aspersion upon his character, and resent it like a man of honour. Acquitting him therefore of drawing a regular and splendid subsistence from any unworthy practices, either in his own house or elsewhere, let me ask your Grace, for what military merits you have been pleased to reward him with military government? He had a regiment of dragoons, which, one would imagine, was at least an equivalent for any services he ever performed. Besides, he is but a young officer considering his preferment, and, except in his activity at Preston, not very conspicuous in his profession. But, it seems, the sale of a civil employment was not sufficient; and military governments, which were intended for the support of worn out veterans, must be thrown into the scale, to defray the extensive bribery of a contested election. Are these the steps you take to secure to your Sovereign the attachment of his army? With what countenance dare you appear in the royal presence, branded as you are with the infamy of a notorious

breach of trust? With what countenance can you take your seat at the treasury-board or in council, when you feel that every circulating whisper is at your expence alone, and stabs you to the heart? Have you a single friend in parliament so shameless, so thoroughly abandoned, as to undertake your defence? You know, my Lord, that there is not a man in either house whose character, however flagitious, would not be ruined by mixing his reputation with yours; and does not your heart inform you, that you are degraded below the condition of a man when you are obliged to hear these insults with submission, and even to thank me for my moderation?

We are told by the highest judicial authority, that Mr. Vaughan's offer to purchase the reversion of a patent place in Jamaica (which he was otherwise sufficiently entitled to) amounts to a high misdemeanour. Be it so: and if he deserves it, let him be punished. But the learned judge might have had a fairer opportunity of displaying the powers of his eloquence. Having delivered himself with so much energy upon the criminal nature, and dangerous consequences of any attempt to corrupt a man in your Grace's station, what would he have said to the minister himself, to that very privy counsellor, to that first commissioner of the treasury, who does not wait for, but impatiently solicits, the touch of corruption; who employs the meanest of his crea-

tures in these honourable services, and, forgetting the genius and fidelity of his secretary, descends to apply to his house-builder for assistance?

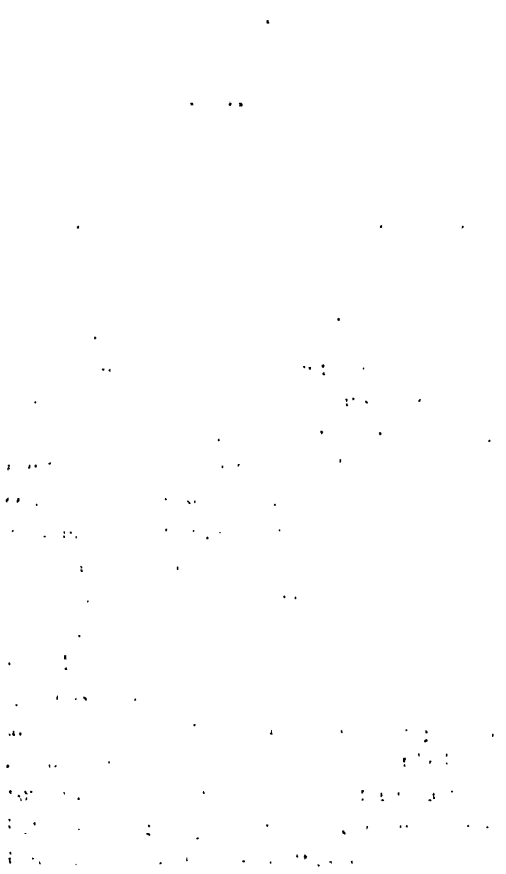
This affair, my Lord, will do infinite credit to government, if, to clear your character, you should think proper to bring it into the House of Lords, or into the Court of King's Bench. But, my Lord, you dare not do either.

JUNIUS.

Heywood sculp.

GEORGE III.

Publish'd by Verner & Hood. Oct'. 1. 1803.



LETTER XXXV.

TO

THE PRINTER OF THE PUBLIC ADVERTISER.

19 December, 1769.

When the complaints of a brave and powerful people are observed to encrease in proportion to the wrongs they have suffered; when, instead of sinking into submission, they are roused to resistance, the time will soon arrive at which every inferior consideration must yield to the security of the Sovereign, and to the general safety of the state. There is a moment of difficulty and danger at which flattery and falsehood can no longer deceive, and simplicity itself can no longer be misled. Let us suppose it arrived. Let us suppose a gracious, well-intentioned prince, made sensible at last of the great duty he owes to his people, and of his own disgraceful situation; that he looks round him for assistance, and asks for no advice, but how to gratify the wishes and secure the happiness of his subjects. In these circumstances,

it may be matter of curious speculation to consider, if an honest man were permitted to approach a King, in what terms he would address himself to his Sovereign. Let it be imagined, no matter how improbable, that the first prejudice against his character is removed, that the ceremonious difficulties of an audience are surmounted, that he feels himself animated by the purest and most honourable affections to his King and country, and that the great person whom he addresses has spirit enough to bid him speak freely, and understanding enough to listen to him with attention. Unacquainted with the vain impertinence of forms, he would deliver his sentiments with dignity and firmness, but not without respect.

SIR,

IT is the misfortune of your life, and originally the cause of every reproach and distress which has attended your government, that you should never have been acquainted with the language of truth until you heard it in the complaints of your people. It is not however too late to correct the error of your education. We are still inclined to make an indulgent allowance for the pernicious lessons you received in your youth, and to form the most sanguine hopes from the natural benevolence of your disposition.[y] We are far from thinking you capable of a direct deliberate purpose to invade those original rights of your subjects, on

which all their civil and political liberties depend. Had it been possible for us to entertain a suspicion so dishonourable to your character, we should long since have adopted a style of remonstrance very distant from the humility of complaint. The doctrine inculcated by our laws, That the King can do no wrong, is admitted without reluctance. We separate the amiable, good-natured prince from the folly and treachery of his servants, and the private virtues of the man from the vices of his government. Were it not for this just distinction, I know not whether your Majesty's condition, or that of the English nation, would deserve most to be lamented. I would prepare your mind for a favourable reception of truth, by removing every painful offensive idea of personal reproach. Your subjects, Sir, wish for nothing but that, as they are reasonable and affectionate enough to separate your person from your government, so you, in your turn, should distinguish between the conduct which becomes the permanent dignity of a King, and that which serves only to promote the temporary interest and miserable ambition of a minister.

You ascended the throne with a declared, and, I doubt not a sincere, resolution of giving universal satisfaction to your subjects. You found them pleased with the novelty of a young prince, whose countenance promised even more than his words, and loyal to you not only from principle but pas-

sion. It was not a cold profession of allegiance to the first magistrate, but a partial animated attachment to a favourite prince, the native of their country. They did not wait to examine your conduct, nor to be determined by experience, but gave you a generous credit for the future blessings of your reign, and paid you in advance the dearest tribute of their affections. Such, Sir, was once the disposition of a people who now surround your throne with reproaches and complaints. Do justice to yourself. Banish from your mind those unworthy opinions with which some interested persons have laboured to possess you. Distrust the men who tell you that the English are naturally light and inconstant; that they complain without a cause. Withdraw your confidence equally from all parties: from ministers, favourites, and relations; and let there be one moment in your life in which you have consulted your own understanding.

When you affectedly renounced the name of Englishman, believe me, Sir, you were persuaded to pay a very ill-judged compliment to one part of your subjects, at the expence of another. While the natives of Scotland are not in actual rebellion, they are undoubtedly entitled to protection; nor do I mean to condemn the policy of giving some encouragement to the novelty of their affections for the house of Hanover. I am ready to hope for every thing from their new-born zeal, and from the fu-

ture steadiness of their allegiance. But hitherto they have no claim to your favour. To honour them with a determined predilection and confidence in exclusion of your English subjects, who placed your family, and, in spite of treachery and rebellion, have supported it upon the throne, is a mistake too gross even for the unsuspecting generosity of youth. In this error we see a capital violation of the most obvious rules of policy and prudence. We trace it, however, to an original bias in your education, and are ready to allow for your inexperience.

To the same early influence we attribute it, that you have descended to take a share not only in the narrow views and interests of particular persons, but in the fatal malignity of their passions. At your accession to the throne the whole system of government was altered, not from wisdom or deliberation, but because it had been adopted by your predecessor. A little personal motive of pique and resentment was sufficient to remove the ablest servants of the crown;[z] but it is not in this country, Sir, that such men can be dishonoured by the frowns of a King. They were dismissed, but could not be disgraced. Without entering into a minuter discussion of the merits of the peace, we may observe, in the imprudent hurry with which the first overtures from France were accepted, in the conduct of the negociation, and terms of the treaty, the strongest marks of that precipitate spirit of concession with

which a certain part of your subjects have been at all times ready to purchase a peace with the natural enemies of this country. On your part we are satisfied that every thing was honourable and sincere, and if England was sold to France, we doubt not that your Majesty was equally betrayed. The conditions of the peace were matter of grief and surprise to your subjects, but not the immediate cause of their present discontent.

Hitherto, Sir, you had been sacrificed to the prejudices and passions of others. With what firmness will you bear the mention of your own?

A man not very honourably distinguished in the world, commences a formal attack upon your favourite, considering nothing but how he might best expose his person and principles to detestation, and the national character of his countrymen to contempt. The natives of that country, Sir, are as much distinguished by a peculiar character as by your Majesty's favour. Like another chosen people, they have been conducted into the land of plenty, where they find themselves effectually marked and divided from mankind. There is hardly a period at which the most irregular character may not be redeemed. The mistakes of one sex find a retreat in patriotism; those of the other in devotion. Mr. Wilkes brought with him into politics the same liberal sentiments by which his private conduct had

been directed, and seemed to think, that as there are few excesses in which an English gentleman may not be permitted to indulge, the same latitude was allowed him in the choice of his political principles, and in the spirit of maintaining them. I mean to state, not entirely to defend, his conduct. In the earnestness of his zeal, he suffered some unwarrantable insinuations to escape him. He said more than moderate men would justify; but not enough to entitle him to the honour of your Majesty's personal resentment. The rays of royal indignation collected upon him, served only to illuminate, and could not consume. Animated by the favour of the people on one side, and heated by persecution on the other, his views and sentiments changed with his situation. Hardly serious at first, he is now an enthusiast. The coldest bodies warm with opposition, the hardest sparkle in collision. There is a holy mistaken zeal in politics as well as religion. By persuading others we convince ourselves. The passions are engaged, and create a maternal affection in the mind, which forces us to love the cause for which we suffer. Is this a contention worthy of a King? Are you not sensible how much the meanness of the cause gives an air of ridicule to the serious difficulties into which you have been betrayed? The destruction of one man has been, now for many years, the sole object of your government; and if there can be any thing still more disgraceful, we have seen for such an object

the utmost influence of the executive power, and every ministerial artifice, exerted without success. Nor can you ever succeed, unless he should be imprudent enough to forfeit the protection of those laws to which you owe your crown, or unless your ministers should persuade you to make it a question of force alone, and try the whole strength of government in opposition to the people. The lessons he has received from experience will probably guard him from such excess of folly; and in your Majesty's virtues we find an unquestionable assurance that no illegal violence will be attempted.

Far from suspecting you of so horrible a design, we would attribute the continued violation of the laws, and even this last enormous attack upon the vital principles of the constitution, to an ill-advised, unworthy, personal resentment. From one false step you have been betrayed into another, and as the cause was unworthy of you, your ministers were determined that the prudence of the execution should correspond with the wisdom and dignity of the design. They have reduced you to the necessity of choosing out of a variety of difficulties;—to a situation so unhappy, that you can neither do wrong without ruin, nor right without affliction. These worthy servants have undoubtedly given you many singular proofs of their abilities. Not contented with making Mr. Wilkes a man of importance, they have judiciously transferred the question from the

rights and interests of one man, to the most important rights and interests of the people, and forced your subjects, from wishing well to the cause of an individual, to unite with him in their own. Let them proceed as they have begun, and your Majesty need not doubt that the catastrophe will do no dishonour to the conduct of the piece.

The circumstances to which you are reduced will not admit of a compromise with the English nation. Undecisive qualifying measures will disgrace your government still more than open violence, and, without satisfying the people, will excite their contempt. They have too much understanding and spirit to accept of an indirect satisfaction for a direct injury. Nothing less than a repeal, as formal as the resolution itself, can heal the wound which has been given to the constitution, nor will any thing less be accepted. I can readily believe that there is an influence sufficient to recall that pernicious vote. The House of Commons undoubtedly consider their duty to the Crown as paramount to all other obligations. To us they are only indebted for an accidental existence, and have justly transferred their gratitude from their parents to their benefactors; from those who gave them birth to the minister, from whose benevolence they derive the comforts and pleasures of their political life; who has taken the tenderest care of their infancy, and relieves their necessities without offending their delicacy. But if

it were possible for their integrity to be degraded to a condition so vile and abject, that, compared with it, the present estimation they stand in is a state of honour and respect; consider, Sir, in what manner you will afterwards proceed. Can you conceive that the people of this country will long submit to be governed by so flexible a House of Commons? It is not in the nature of human society, that any form of government, in such circumstances, can long be preserved. In ours the general contempt of the people is as fatal as their detestation. Such, I am persuaded, would be the necessary effect of any base concession made by the present House of Commons; and as a qualifying measure would not be accepted, it remains for you to decide whether you will, at any hazard, support a set of men, who have reduced you to this unhappy dilemma, or whether you will gratify the united wishes of the whole people of England by dissolving the parliament.

Taking it for granted, as I do very sincerely, that you have personally no design against the constitution, nor any view inconsistent with the good of your subjects, I think you cannot hesitate long upon the choice, which it equally concerns your interest and your honour to adopt. On one side, you hazard the affections of all your English subjects; you relinquish every hope of repose to yourself, and you endanger the establishment of your family for ever. All this you venture for no object

whatsoever, or for such an object as it would be an affront to you to name. Men of sense will examine your conduct with suspicion; while those who are incapable of comprehending to what degree they are injured, afflict you with clamours equally insolent and unmeaning. Supposing it possible that no fatal struggle should ensue, you determine at once to be unhappy, without the hope of a compensation either from interest or ambition. If an English King be hated or despised, he must be unhappy; and this perhaps is the only political truth which he ought to be convinced of without experiment. But if the English people should no longer confine their resentment to a submissive representation of their wrongs; if, following the glorious example of their ancestors, they should no longer appeal to the creature of the constitution, but to that high Being who gave them the rights of humanity, whose gifts it were sacrilege to surrender, let me ask you, Sir, upon what part of your subjects would you rely for assistance?

The people of Ireland have been uniformly plundered and oppressed. In return they give you every day fresh marks of their resentment. They despise the miserable governor[a] you have sent them, because he is the creature of Lord Bute; nor is it from any natural confusion in their ideas, that they are so ready to confound the original of a King with the disgraceful representation of him.

The distance of the Colonies would make it impossible for them to take an active concern in your affairs if they were as well affected to your government as they once pretended to be to your person. They were ready enough to distinguish between you and your ministers. They complained of an act of the legislature, but traced the origin of it no higher than to the servants of the Crown: they pleased themselves with the hope that their Sovereign, if not favourable to their cause, at least was impartial. The decisive personal part you took against them has effectually banished that first distinction from their minds.[b] They consider you as united with your servants against America, and know how to distinguish the Sovereign and a venal parliament on one side, from the real sentiments of the English people on the other. Looking forward to independence, they might possibly receive you for their King; but, if ever you retire to America, be assured they will give you such a covenant to digest as the presbytery of Scotland would have been ashamed to offer to Charles the Second. They left their native land in search of freedom, and found it in a desert. Divided as they are into a thousand forms of policy and religion, there is one point in which they all agree: they equally detest the pageantry of a King, and the supercilious hypocrisy of a bishop.

It is not then from the alienated affections of

Ireland or America that you can reasonably look for assistance; still less from the people of England, who are actually contending for their rights, and in this great question are parties against you. You are not, however, destitute of every appearance of support: You have all the Jacobites, Nonjurors, Roman Catholics, and Tories of this country, and all Scotland without exception. Considering from what family you are descended, the choice of your friends has been singularly directed; and truly, Sir, if you had not lost the whig interest of England, I should admire your dexterity in turning the hearts of your enemies. Is it possible for you to place any confidence in men, who, before they are faithful to you, must renounce every opinion, and betray every principle, both in church and state, which they inherit from their ancestors, and are confirmed in by their education? whose numbers are so inconsiderable, that they have long since been obliged to give up the principles and language which distinguish them as a party, and to fight under the banners of their enemies? Their zeal begins with hypocrisy, and must conclude in treachery. At first they deceive; at last they betray.

As to the Scotch, I must suppose your heart and understanding so biassed from your earliest infancy in their favour, that nothing less than your own misfortunes can undeceive you. You will not accept of the uniform experience of your ancestors;

and when once a man is determined to believe, the very absurdity of the doctrine confirms him in his faith. A bigoted understanding can draw a proof of attachment to the House of Hanover from a notorious zeal for the House of Stuart, and find an earnest of future loyalty in former rebellions. Appearances are however in their favour; so strongly indeed, that one would think they had forgotten that you are their lawful King, and had mistaken you for a pretender to the crown. Let it be admitted then that the Scotch are as sincere in their present professions as if you were in reality not an Englishman, but a Briton of the North. You would not be the first prince of their native country, against whom they have rebelled, nor the first whom they have basely betrayed. Have you forgotten, Sir, or has your favourite concealed from you that part of our history, when the unhappy Charles (and he too had private virtues) fled from the open avowed indignation of his English subjects, and surrendered himself at discretion to the good faith of his own countrymen? Without looking for support in their affections as subjects, he applied only to their honour as gentlemen for protection. They received him as they would your Majesty, with bows, and smiles, and falsehood, and kept him until they had settled their bargain with the English parliament; then basely sold their native king to the vengeance of his enemies. This, Sir, was not the act of a few traitors, but the deliberate treachery

of a Scotch parliament representing the nation. A wise prince might draw from it two lessons of equal utility to himself. On one side, he might learn to dread the undisguised resentment of a generous people, who dare openly assert their rights, and who in a just cause are ready to meet their Sovereign in the field. On the other side, he would be taught to apprehend something far more formidable; a fawning treachery, against which no prudence can guard, no courage can defend. The insidious smile upon the cheek would warn him of the canker in the heart.

From the uses to which one part of the army has been too frequently applied, you have some reason to expect that there are no services they would refuse. Here too we trace the partiality of your understanding. You take the sense of the army from the conduct of the guards, with the same justice with which you collect the sense of the people from the representations of the ministry. Your marching regiments, Sir, will not make the guards their example either as soldiers or subjects. They feel and resent, as they ought to do, that invariable, undistinguishing favour with which the guards are treated; [c] while those gallant troops by whom every hazardous, every laborious service is performed, are left to perish in garrisons abroad, or pine in quarters at home neglected and forgotten. If they had no sense of the great original duty they owe their

country, their resentment would operate like patriotism, and leave your cause to be defended by those on whom you have lavished the rewards and honours of their profession. The Prætorian Bands, enervated and debauched as they were, had still strength enough to awe the Roman populace; but when the distant legions took the alarm, they marched to Rome, and gave away the empire.

On this side then, whichever way you turn your eyes, you see nothing but perplexity and distress. You may determine to support the very ministry who have reduced your affairs to this deplorable situation; you may shelter yourself under the forms of a parliament, and set the people at defiance. But be assured, Sir, that such a resolution would be as imprudent as it would be odious. If it did not immediately shake your establishment, it would rob you of your peace of mind for ever.

On the other, how different is the prospect! How easy, how safe and honourable is the path before you! The English nation declare they are grossly injured by their representatives, and solicit your Majesty to exert your lawful prerogative, and give them an opportunity of recalling a trust which they find has been scandalously abused. You are not to be told that the power of the House of Commons is not original, but delegated to them for the welfare of the people, from whom they received it.

A question of right arises between the constituent and the representative body. By what authority shall it be decided? Will your Majesty interfere in a question in which you have properly no immediate concern? It would be a step equally odious and unnecessary. Shall the Lords be called upon to determine the rights and privileges of the Commons? They cannot do it without a flagrant breach of the constitution. Or will you refer it to the judges? They have often told your ancestors, that the law of parliament is above them. What party then remains, but to leave it to the people to determine for themselves? They alone are injured; and since there is no superior power to which the cause can be referred, they alone ought to determine.

I do not mean to perplex you with a tedious argument upon a subject already so discussed, that inspiration could hardly throw a new light upon it. There are, however, two points of view in which it particularly imports your Majesty to consider the late proceedings of the House of Commons. By depriving a subject of his birthright they have attributed to their own vote an authority equal to an act of the whole legislature; and, though perhaps not with the same motives, have strictly followed the example of the long parliament, which first declared the regal office useless, and soon after, with as little ceremony, dissolved the House of Lords. The same pretended power which robs an English sub-

ject of his birthright, may rob an English King of his crown. In another view, the resolution of the House of Commons, apparently not so dangerous to your Majesty, is still more alarming to your people. Not contented with divesting one man of his right, they have arbitrarily conveyed that right to another. They have set aside a return as illegal, without daring to censure those officers who were particularly apprized of Mr. Wilkes's incapacity, not only by the declaration of the House, but expressly by the writ directed to them, and who nevertheless returned him as duly elected. They have rejected the majority of votes, the only criterion by which our laws judge of the sense of the people; they have transferred the right of election from the collective to the representative body; and by these acts, taken separately or together, they have essentially altered the original constitution of the House of Commons. Versed as your Majesty undoubtedly is in the English history, it cannot easily escape you, how much it is your interest, as well as your duty, to prevent one of the three estates from encroaching upon the province of the other two, or assuming the authority of them all. When once they have departed from the great constitutional line by which all their proceedings should be directed, who will answer for their future moderation? Or what assurance will they give you, that when they have trampled upon their equals, they will submit to a superior? Your Majesty may learn

hereafter, how nearly the slave and tyrant are allied.

Some of your council, more candid than the rest, admit the abandoned profligacy of the present House of Commons, but oppose their dissolution upon an opinion I confess not very unwarrantable, that their successors would be equally at the disposal of the treasury. I cannot persuade myself that the nation will have profited so little by experience. But if that opinion were well founded, you might then gratify our wishes at an easy rate, and appease the present clamour against your government, without offering any material injury to the favourite cause of corruption.

You have still an honourable part to act. The affections of your subjects may still be recovered. But before you subdue their hearts, you must gain a noble victory over your own. Discard those little personal resentments which have too long directed your public conduct. Pardon this man the remainder of his punishment; and if resentment still prevails, make it what it should have been long since, an act, not of mercy, but contempt. He will soon fall back into his natural station, a silent senator, and hardly supporting the weekly eloquence of a newspaper. The gentle breath of peace would leave him on the surface, neglected and unremoved. It is only the tempest that lifts him from his place.

Without consulting your minister, call together your whole council. Let it appear to the public that you can determine and act for yourself. Come forward to your people. Lay aside the wretched formalities of a King, and speak to your subjects with the spirit of a man, and in the language of a gentleman. Tell them you have been fatally deceived. The acknowledgment will be no disgrace, but rather an honour to your understanding. Tell them you are determined to remove every cause of complaint against your government; that you will give your confidence to no man who does not possess the confidence of your subjects; and leave it to themselves to determine, by their conduct at a future election, whether or no it be in reality the general sense of the nation, that their rights have been arbitrarily invaded by the present House of Commons, and the constitution betrayed. They will then do justice to their representatives and to themselves.

These sentiments, Sir, and the style they are conveyed in, may be offensive, perhaps, because they are new to you. Accustomed to the language of courtiers, you measure their affections by the vehemence of their expressions; and when they only praise you indifferently, you admire their sincerity. But this is not a time to trifle with your fortune. They deceive you, Sir, who tell you that you have many friends, whose affections are founded upon a

principle of personal attachment. The first foundation of friendship is not the power of conferring benefits, but the equality with which they are received and may be returned. The fortune which made you a King, forbad you to have a friend. It is a law of nature which cannot be violated with impunity. The mistaken prince who looks for friendship, will find a favourite, and in that favourite the ruin of his affairs.

The people of England are loyal to the house of Hanover, not from a vain preference of one family to another, but from a conviction that the establishment of that family was necessary to the support of their civil and religious liberties. This, Sir, is a principle of allegiance equally solid and rational; fit for Englishmen to adopt, and well worthy of your Majesty's encouragement. We cannot long be deluded by nominal distinctions. The name of Stuart, of itself, is only contemptible; armed with the sovereign authority, their principles are formidable. The Prince who imitates their conduct, should be warned by their example; and while he plumes himself upon the security of his title to the crown, should remember that, as it was acquired by one revolution, it may be lost by another.

JUNIUS.

LETTER XXXVI.

TO

HIS GRACE THE DUKE OF GRAFTON.

MY LORD, 14 Feb. 1770.

If I were personally your enemy, I might pity and forgive you. You have every claim to compassion that can arise from misery and distress. The condition you are reduced to would disarm a private enemy of his resentment, and leave no consolation to the most vindictive spirit, but that such an object as you are would disgrace the dignity of revenge. But in the relation you have borne to this country, you have no title to indulgence; and if I had followed the dictates of my own opinion, I never should have allowed you the respite of a moment. In your public character you have injured every subject of the empire; and though an individual is not authorised to forgive the injuries done to society, he is called upon to assert his separate share in the public resentment. I submitted however to the judgment of men more

moderate, perhaps more candid, than myself. For my own part, I do not pretend to understand those prudent forms of decorum, those gentle rules of discretion, which some men endeavour to unite with the conduct of the greatest and most hazardous affairs. Engaged in the defence of an honourable cause, I would take a decisive part. I should scorn to provide for a future retreat, or to keep terms with a man who preserves no measures with the public. Neither the abject submission of deserting his post in the hour of danger, nor even the sacred shield[d] of cowardice should protect him. I would pursue him through life, and try the last exertion of my abilities to preserve the perishable infamy of his name, and make it immortal.

What then, my Lord, is this the event of all the sacrifices you have made to Lord Bute's patronage, and to your own unfortunate ambition? Was it for this you abandoned your earliest friendships, the warmest connexions of your youth, and all those honourable engagements by which you once solicited, and might have acquired, the esteem of your country? Have you secured no recompense for such an honour? Unhappy man! what party will receive the common deserter of all parties? Without a client to flatter, without a friend to console you, and with only one companion from the honest house of Bloomsbury, you must now retire into a dreadful solitude. At the most active

period of life, you must quit the busy scene, and conceal yourself from the world, if you would hope to save the wretched remains of a ruined reputation. The vices operate like age,—bring on disease before its time, and in the prime of youth leave the character broken and exhausted.

Yet your conduct has been mysterious, as well as contemptible. Where is now that firmness, or obstinacy, so long boasted of by your friends, and acknowledged by your enemies? We were taught to expect that you would not leave the ruin of this country to be completed by other hands, but were determined either to gain a decisive victory over the constitution, or to perish bravely at least behind the last dyke of the prerogative. You knew the danger, and might have been provided for it. You took sufficient time to prepare for a meeting with your parliament, to confirm the mercenary fidelity of your dependants, and to suggest to your Sovereign a language suited to his dignity at least, if not to his benevolence and wisdom. Yet, while the whole kingdom was agitated with anxious expectation upon one great point, you meanly evaded the question, and, instead of the explicit firmness and decision of a King, gave us nothing but the misery of a ruined grazier,[s] and the whining piety of a methodist. We had reason to expect that notice would have been taken of the petitions which the King has received from the English na-

tion; and although I can conceive some personal motives for not yielding to them, I can find none, in common prudence or decency, for treating them with contempt. Be assured, my Lord, the English people will not tamely submit to this unworthy treatment: they had a right to be heard; and their petitions, if not granted, deserved to be considered. Whatever be the real views and doctrine of a court, the Sovereign should be taught to preserve some forms of attention to his subjects; and if he will not redress their grievances, not to make them a topic of jest and mockery among lords and ladies of the bedchamber. Injuries may be atoned for and forgiven; but insults admit of no compensation. They degrade the mind in its own esteem, and force it to recover its level by revenge. This neglect of the petitions was however a part of your original plan of government; nor will any consequences it has produced account for your deserting your Sovereign in the midst of that distress in which you and your new friends[f] had involved him. One would think, my Lord, you might have taken this spirited resolution before you had dissolved the last of those early connexions which once, even in your own opinion, did honour to your youth;—before you had obliged Lord Granby to quit a service he was attached to;—before you had discarded one chancellor, and killed another. To what an abject condition have you laboured to reduce the best of princes, when the unhappy man,

who yields at last to such personal instance and solicitation as never can be fairly employed against a subject, feels himself degraded by his compliance, and is unable to survive the disgraceful honours which his gracious Sovereign had compelled him to accept. He was a man of spirit, for he had a quick sense of shame, and death has redeemed his character. I know your Grace too well to appeal to your feelings upon this event; but there is another heart, not yet, I hope, quite callous to the touch of humanity, to which it ought to be a dreadful lesson for ever.[5]

Now, my Lord, let us consider the situation to which you have conducted, and in which you have thought it advisable to abandon, your Royal Master. Whenever the people have complained, and nothing better could be said in defence of the measures of government, it has been the fashion to answer us, though not very fairly, with an appeal to the private virtues of your Sovereign. 'Has he not, 'to relieve the people, surrendered a considerable 'part of his revenue? Has he not made the judges 'independent, by fixing them in their places for 'life?'—My Lord, we acknowledge the gracious principle which gave birth to these concessions, and have nothing to regret, but that it has never been adhered to. At the end of seven years, we are loaded with a debt of above five hundred thousand pounds upon the civil list, and we now see the

Chancellor of Great Britain tyrannically forced out of his office, not for want of abilities, not for want of integrity, or of attention to his duty, but for delivering his honest opinion in parliament upon the greatest constitutional question that has arisen since the revolution. We care not to whose private virtues you appeal; the theory of such a government is falsehood and mockery; the practice is oppression. You have laboured then (though I confess to no purpose) to rob your Master of the only plausible answer that ever was given in defence of his government,—of the opinion which the people had conceived of his personal honour and integrity.—The Duke of Bedford was more moderate than your Grace. He only forced his Master to violate a solemn promise made to an individual.[h] But you, my Lord, have successfully extended your advice to every political, every moral engagement, that could bind either the magistrate or the man. The condition of a King is often miserable; but it required your Grace's abilities to make it contemptible.—You will say perhaps that the faithful servants in whose hands you have left him, are able to retrieve his honour, and to support his government. You have publicly declared, even since your resignation, that you approved of their measures, and admired their conduct; particularly that of the Earl of Sandwich. What a pity it is, that, with all this appearance, you should think it necessary to separate yourself from such amiable

companions. You forget, my Lord, that while you are lavish in the praise of men whom you desert, you are publicly opposing your conduct to your opinions, and depriving yourself of the only plausible pretence you had for leaving your Sovereign overwhelmed with distress: I call it plausible, for, in truth, there is no reason whatsoever, less than the frowns of your Master, that could justify a man of spirit for abandoning his post at a moment so critical and important! It is in vain to evade the question. If you will not speak out, the public have a right to judge from appearances. We are authorised to conclude, that you either differed from your colleagues, whose measures you still affect to defend, or that you thought the administration of the King's affairs no longer tenable. You are at liberty to choose between the hypocrite and the coward. Your best friends are in doubt which way they shall incline. Your country unites the characters, and gives you credit for them both. For my own part, I see nothing inconsistent in your conduct. You began with betraying the people; you conclude with betraying the King.

In your treatment of particular persons you have preserved the uniformity of your character. Even Mr. Bradshaw declares that no man was ever so ill used as himself. As to the provision[1] you have made for his family, he was entitled to it by the house he lives in. The successor of one Chan-

cellor might well pretend to be the rival of another. It is the breach of private friendship which touches Mr. Bradshaw; and, to say the truth, when a man of his rank and abilities had taken so active a part in your affairs, he ought not to have been let down at last with a miserable pension of fifteen hundred pounds a year. Colonel Luttrell, Mr. Onslow, and Governor Burgoyne, were equally engaged with you, and have rather more reason to complain than Mr. Bradshaw. These are men, my Lord, whose friendship you should have adhered to on the same principle on which you deserted Lord Rockingham, Lord Chatham, Lord Camden, and the Duke of Portland. We can easily account for your violating your engagements with men of honour; but why should you betray your natural connexions? Why separate yourself from Lord Sandwich, Lord Gower, and Mr. Rigby, or leave the three worthy gentlemen above mentioned to shift for themselves? With all the fashionable indulgence of the times, this country does not abound in characters like theirs; and you may find it a difficult matter to recruit the black catalogue of your friends.

The recollection of the royal patent you sold to Mr. Hine, obliges me to say a word in defence of a man whom you have taken the most dishonourable means to injure. I do not refer to the sham prosecution which you affected to carry on against

him. On that ground I doubt not he is prepared to meet you with tenfold recrimination, and set you at defiance. The injury you had done him affects his moral character. You knew that the offer to purchase the reversion of a place which has heretofore been sold under a decree of the court of Chancery, however imprudent in his situation, would no way tend to cover him with that sort of guilt which you wished to fix upon him in the eyes of the world. You laboured then, by every species of false suggestion, and even by publishing counterfeit letters, to have it understood that he had proposed terms of accommodation to you, and had offered to abandon his principles, his party, and his friends. You consulted your own breast for a character of consummate treachery, and gave it to the public for that of Mr. Vaughan. I think myself obliged to do this justice to an injured man, because I was deceived by the appearances thrown out by your Grace, and have frequently spoken of his conduct with indignation. If he really be, what I think him, honest, though mistaken, he will be happy in recovering his reputation, though at the expence of his understanding. Here, I see, the matter is likely to rest. Your Grace is afraid to carry on the prosecution. Mr. Hine keeps quiet possession of his purchase; and Governor Burgoyne, relieved from the apprehension of refunding the money, sits down, for the remainder of his life, infamous and contented.

I believe, my Lord, I may now take my leave of you for ever. You are no longer that resolute minister who had spirit to support the most violent measures; who compensated for the want of good and great qualities, by a brave determination (which some people admired and relied on) to maintain himself without them. The reputation of obstinacy and perseverance might have supplied the place of all the absent virtues. You have now added the last negative to your character, and meanly confessed that you are destitute of the common spirit of a man. Retire then, my Lord, and hide your blushes from the world; for with such a load of shame, even black may change its colour. A mind such as yours, in the solitary hours of domestic enjoyment, may still find topics of consolation. You may find it in the memory of violated friendship; in the afflictions of an accomplished Prince, whom you have disgraced and deserted, and in the agitations of a great country, driven by your councils to the brink of destruction.

The palm of ministerial firmness is now transferred to Lord North. He tells us so himself, and with the plenitude of the ore rotundo;[k] and I am ready enough to believe, that while he can keep his place he will not easily be persuaded to resign it. Your Grace was the firm minister of yesterday: Lord North is the firm minister of to-day. To-morrow, perhaps, his Majesty, in his wisdom, may give

us a rival for you both. You are too well acquainted with the temper of your late allies to think it possible that Lord North should be permitted to govern this country. If we may believe common fame, they have shewn him their superiority already. His Majesty is indeed too gracious to insult his subjects by choosing his first minister from among the domestics of the Duke of Bedford. That would have been too gross an outrage to the three kingdoms. Their purpose, however, is equally answered by pushing forward this unhappy figure, and forcing it to bear the odium of measures which they in reality direct. Without immediately appearing to govern, they possess the power, and distribute the emoluments of government, as they think proper. They still adhere to the spirit of that calculation which made Mr. Luttrell representative of Middlesex. Far from regretting your retreat, they assure us very gravely, that it increases the real strength of the ministry. According to this way of reasoning, they will probably grow stronger and more flourishing every hour they exist; for I think there is hardly a day passes in which some one or other of his Majesty's servants does not leave them to improve by the loss of his assistance. But, alas! their countenances speak a different language. When the members drop off the main body cannot be insensible of its approaching dissolution. Even the violence of their proceedings is a signal of despair. Like broken tenants who have had warning to quit

the premises, they curse their landlord, destroy the fixtures, throw every thing into confusion, and care not what mischief they do to the estate.

JUNIUS.

END OF VOL. I.

NOTES

TO THE

FIRST VOLUME.

DEDICATION. [a] This poſitive denial of an arbitrary power being veſted in the legiſlature, is not, in fact, a new doctrine. When the Earl of Lindſey, in the year 1675, brought a bill into the Houſe of Lords, 'To prevent the dan-'gers which might ariſe from perſons diſaffected to govern-'ment,' by which an oath and penalty was to be impoſed upon the members of both Houſes, it was affirmed in a proteſt ſigned by twenty-three lay-peers (my lords the biſhops were not accuſtomed to proteſt), 'That the privilege of ſit-'ting and voting in parliament was an honour they had by 'birth, and a right ſo inherent in them, and inſeparable from 'them, that nothing could take it away but what, by the 'law of the land, muſt withal take away their lives, and cor-'rupt their blood.' Theſe noble peers (whoſe names are a reproach to their poſterity) have, in this inſtance, ſolemnly denied the power of parliament to alter the conſtitution. Under a particular propoſition, they have aſſerted a general truth in which every man in England is concerned.

PREFACE. [b] The following quotation from a ſpeech delivered by Lord Chatham on the eleventh of December, 1770, is taken with exactneſs. The reader will find it curious in itſelf, and very fit to be inſerted here. 'My Lords, the ver-

'dict given in Woodfall's trial was "guilty of printing and "publishing only;" upon which two motions were made in 'court;—one, in arrest of judgment by the defendant's coun-'sel, grounded upon the ambiguity of the verdict;—the 'other, by the counsel for the crown, for a rule upon the de-'fendant, to shew cause why the verdict should not be en-'tered up according to the legal import of the words. On 'both motions a rule was granted, and soon after the matter 'was argued before the court of King's Bench. The noble 'judge, when he delivered the opinion of the court upon the 'verdict, went regularly through the whole of the proceed-'ings at nisi prius, as well the evidence that had been given, 'as his own charge to the jury. This proceeding would 'have been very proper had a motion been made of either 'side for a new trial, because either a verdict given contrary 'to evidence, or an improper charge by the judge at nisi 'prius, is held to be a sufficient ground for granting a new 'trial. But when a motion is made in arrest of judgment, 'or for establishing the verdict, by entering it up according 'to the legal import of the words, it must be on the ground 'of something appearing on the face of the record; and the 'court, in considering whether the verdict shall be established 'or not, are so confined to the record, that they cannot take 'notice of any thing that does not appear on the face of it; 'in the legal phrase, they cannot travel out of the record. 'The noble judge did travel out of the record, and I affirm 'that his discourse was irregular, extrajudicial, and unpre-'cedented. His apparent motive for doing what he knew to 'be wrong, was, that he might have an opportunity of tell-'ing the public extrajudicially, that the other three judges 'concurred in the doctrine laid down in his charge.'

[c] Parliamentary History, 7. V. p. 400.

[d] Monsieur de Lolme.

LETTERS. [a] The Duke of Grafton took the office of ſecretary of ſtate with an engagement to ſupport the Marquis of Rockingham's adminiſtration. He reſigned, however, in a little time, under pretence that he could not act without Lord Chatham, nor bear to ſee Mr. Wilkes abandoned; but that under Lord Chatham he would act in any office. This was the ſignal of Lord Rockingham's diſmiſſion. When Lord Chatham came in, the Duke got poſſeſſion of the treaſury. Reader, mark the conſequence!

[b] Yet Junius has been called the partizan of Lord Chatham!

[c] That they ſhould retract one of their reſolutions, and eraſe the entry of it.

[d] It was pretended that the Earl of Rochford, while ambaſſador in France, had quarrelled with the Duke of Choiſeuil, and that therefore he was appointed to the northern department out of compliment to the French miniſter.

[e] The late Lord Granby.

[f] This man being committed by the court of King's Bench for a contempt, voluntarily made oath, that he would never anſwer interrogatories unleſs he ſhould be put to the torture.

[g] It has been ſaid, and I believe truly, that it was ſignified to Sir William Draper, as the requeſt of Lord Granby, that he ſhould deſiſt from writing in his Lordſhip's defence. Sir William Draper certainly drew Junius forward to ſay more of Lord Granby's character than he originally intended. He was reduced to the dilemma of either being totally ſilenced,

or of ſupporting his firſt letter. Whether Sir William had a right to reduce him to this dilemma, or to call upon him for his name, after a voluntary attack on his fide, are queſtions ſubmitted to the candour of the public. The death of Lord Granby was lamented by Junius. He undoubtedly owed ſome compenſations to the public, and ſeemed determined to acquit himſelf of them. In private life, he was unqueſtionably that good man who, for the intereſt of his country, ought to have been a great one. Bonum virum facilè dixeris; magnum libenter. I ſpeak of him now without partiality; I never ſpoke of him with reſentment. His miſtakes, in public conduct, did not ariſe either from want of ſentiment, or want of judgment, but in general from the difficulty of ſaying NO to the bad people who ſurrounded him.

As for the reſt, the friends of Lord Granby ſhould remember, that he himſelf thought proper to condemn, retract, and diſavow, by a moſt ſolemn declaration in the Houſe of Commons, that very ſyſtem of political conduct which Junius had held forth to the diſapprobation of the public.

[h] Whitehall, March 11, 1769. His Majeſty has been graciouſly pleaſed to extend his royal mercy to Edward M'Quirk, found guilty of the murder of George Clarke, as appears by his royal warrant to the tenor following.

GEORGE R.

Whereas a doubt had ariſen in our royal breaſt concerning the evidence of the death of George Clarke, from the repreſentations of William Bromfield, Eſq. ſurgeon, and Solomon Starling, apothecary; both of whom, as has been repreſented to us, attended the deceaſed before his death, and expreſſed their opinions that he did not die of the blow

he received at Brentford: And whereas it appears to us, that neither of the ſaid perſons were produced as witneſſes upon the trial, though the ſaid Solomon Starling had been examined before the coroner, and the only perſon called to prove that the death of the ſaid George Clarke was occaſioned by the ſaid blow, was John Foot, ſurgeon, who never ſaw the deceaſed till after his death; we thought fit thereupon to refer the ſaid repreſentations, together with the report of the Recorder of our city of London, of the evidence given by Richard and William Beale, and the ſaid John Foot, on the trial of Edward Quirk, otherwiſe called Edward Kirk, otherwiſe called Edward M'Quirk, for the murder of the ſaid Clarke, to the maſter, wardens, and the reſt of the court of examiners of the ſurgeons company, commanding them likewiſe to take ſuch further examination of the ſaid perſons ſo repreſenting, and of ſaid John Foot, as they might think neceſſary, together with the premiſes above mentioned, to form and to report to us their opinion, 'Whether it did or 'did not appear to them, that the ſaid George Clarke died in 'conſequence of the blow he received in the riot at Brent-'ford on the 8th of December laſt.' And the ſaid court of examiners of the ſurgeons company having thereupon reported to us their opinion, 'That it did not appear to them 'that he did;' We have thought proper to extend our royal mercy to him the ſaid Edward Quirk, otherwiſe Edward Kirk, otherwiſe called Edward M'Quirk, and to grant him our free pardon for the murder of the ſaid George Clarke, of which he has been found guilty: Our will and pleaſure therefore is, That he the ſaid Edward Quirk, otherwiſe called Edward Kirk, otherwiſe called Edward M'Quirk, be inſerted, for the ſaid murder, in our firſt and next general pardon that ſhall come out for the poor convicts of Newgate, without any condition whatſoever; and that in the mean time you take bail for his appearance, in order to plead our ſaid pardon. And for ſo doing this ſhall be your warrant.

Given at our court at St. James's the 10th day of March, 1769, in the ninth year of our reign.

By his Majeſty's command.

ROCHFORD.

To our truſty and well-beloved James Eyre, Eſq. Recorder of our city of London, the Sheriffs of our ſaid city and county of Middleſex, and all others whom it may concern.

[i] This unfortunate perſon had been perſuaded by the Duke of Grafton to ſet up for Middleſex. It happened, unluckily, that he could not prevail upon any freeholder to put him in nomination.

[k] Sir Fletcher Norton, when it was propoſed to puniſh the Sheriffs, declared in the Houſe of Commons that they, in returning Mr. Wilkes, had done no more than their duty.

[l] The Duke, about this time, had ſeparated himſelf from Ann Parſons, but propoſed to continue united with her, on ſome platonic terms of friendſhip, which ſhe rejected.

[m] His Grace had lately married Miſs Wrottesley, niece of the good Gertrude, Ducheſs of Bedford.

[n] Miſs Liddel, after her divorce from the Duke, married Lord Upper Oſſory.

[o] Mr. Bradſhaw, ſecretary to the treaſury.

[p] Sir John Moore.

[q] Precedents, in oppoſition to principles, have little

weight with Junius; but he thought it neceſſary to meet the miniſtry upon their own ground.

[r] Caſe of the Middleſex election conſidered, page 38.

[s] This is ſtill meeting the miniſtry upon their own ground; for in truth, no precedents will ſupport either natural injuſtice, or violation of poſitive right.

[t] Mr. Grenville had quoted a paſſage from the Doctor's excellent commentaries, which directly contradicted the doctrine maintained by the Doctor in the Houſe of Commons.

[u] If, in ſtating the law upon any point, a judge deliberately affirms that he has included every caſe, and it ſhould appear that he has purpoſely omitted a material caſe, he does in effect lay a ſnare for the unwary.

[x] It is well worth remarking, that the compiler of a certain quarto, called The caſe of the laſt election for the county of Middleſex conſidered, has the impudence to recite this very vote, in the following terms, vide page 11, 'Reſolved, 'that Robert Walpole, Eſq. having been that ſeſſion of par-'liament expelled the Houſe, was and is incapable of being 'elected a member to ſerve in the preſent parliament.' There cannot be a ſtronger poſitive proof of the treachery of the compiler, nor a ſtronger preſumptive proof that he was convinced that the vote, if truly recited, would overturn his whole argument.

[y] The Duke lately loſt his only ſon by a fall from his horſe.

[z] At this interview, which paſſed at the Houſe of the late Lord Eglintoun, Lord Bute told the Duke that he was

determined never to have any connexion with a man who had ſo baſely betrayed him.

[a] (page 145) In an anſwer in chancery, in a ſuit againſt him to recover a large ſum paid him by a perſon whom he had undertaken to return to parliament for one of his Grace's boroughs. He was compelled to repay the money.

[b] Of Bedford, where the tyrant was held in ſuch contempt and deteſtation, that, in order to deliver themſelves from him, they admitted a great number of ſtrangers to the freedom. To make his defeat truly ridiculous, he tried his whole ſtrength againſt Mr. Horne, and was beaten upon his own ground.

[c] Mr. Heſton Humphrey, a country attorney, horſe-whipped the Duke with equal juſtice, ſeverity, and perſeverance, on the courſe at Litchfield. Rigby and Lord Trentham were alſo cudgelled in a moſt exemplary manner. This gave riſe to the following ſtory: 'When the late King 'heard that Sir Edward Hawke had given the French a 'drubbing, his Majeſty, who had never received that kind 'of chaſtiſement, was pleaſed to aſk Lord Cheſterfield the 'meaning of the word. Sir, ſays Lord Cheſterfield, the 'meaning of the word—but here comes the Duke of Bed-'ford, who is better able to explain it to your Majeſty than 'I am.'

[d] This man, notwithſtanding his pride and tory principles, had ſome Engliſh ſtuff in him. Upon an official letter he wrote to the Duke of Bedford, the Duke deſired to be recalled, and it was with the utmoſt difficulty that Lord Bute could appeaſe him.

[e] Mr. Grenville, Lord Halifax, and Lord Egremont.

[f] The miniſtry having endeavoured to exclude the Dowager out of the regency bill, the Earl of Bute determined to diſmiſs them. Upon this the Duke of Bedford demanded an audience of the ——, reproached him in plain terms with his duplicity, baſeneſs, falſehood, treachery, and hypocriſy, repeatedly gave him the lie, and left him in convulſions.

[g] He received three thouſand pounds for plate and equipage money.

[h] When Earl Gower was appointed preſident of the council, the King, with his uſual ſincerity, aſſured him, that he had not had one happy moment ſince the Duke of Bedford left him.

[i] Lord Gower, Weymouth, and Sandwich.

[k] Was Brutus an ancient bravo and dark aſſaſſin; or does Sir W. D. think it criminal to ſtab a tyrant to the heart?

[l] If Sir W. D. will take the trouble of looking into Torcy's Memoirs, he will ſee with what little ceremony a bribe may be offered to a Duke, and with what little ceremony it was only not accepted.

[m] Within a fortnight after Lord Taviſtock's death, the venerable Gertrude had a rout at Bedford houſe. The good Duke (who had only ſixty thouſand pounds a year) ordered an inventory to be taken of his ſon's wearing apparel, down to his ſlippers, ſold them all, and put the money in his pocket. The amiable Marchioneſs, ſhocked at ſuch brutal, unfeeling avarice, gave the value of the clothes to the Marquis's ſervant out of her own purſe. That incomparable woman did not long ſurvive her huſband. When ſhe died, the Ducheſs of Bedford treated her as the Duke had treated his

only ſon. She ordered every gown and trinket to be ſold, and pocketed the money.

[n] Major General Ganſel.

[o] Lieutenant Dodd.

[p] Lieutenant Garth.

[q] A few of them were confined.

[r] A little before the publication of this and the preceding letter, the chafte Duke of Grafton had commenced a proſecution againſt Mr. Samuel Vaughan, for endeavouring to corrupt his integrity by an offer of five thouſand pounds for a patent place in Jamaica. A rule to ſhew cauſe, why an information ſhould not be exhibited againſt Vaughan for certain miſdemeanours, being granted by the Court of King's Bench, the matter was ſolemnly argued on the 27th of November, 1769, and, by the unanimous opinion of the four judges, the rule was made abſolute. The pleadings and ſpeeches were accurately taken in ſhort hand and publiſhed. The whole of Lord Mansfield's ſpeech, and particularly the following extracts from it, deſerve the reader's attention. 'A 'practice of the kind complained of here is certainly diſho- 'nourable and ſcandalous. If a man, ſtanding under the 'relation of an officer under the King, or of a perſon in 'whom the King puts confidence, or of a miniſter, takes 'money for the uſe of that confidence the King puts in him, 'he baſely betrays the King—he baſely betrays his truſt. If 'the King ſold the office, it would be acting contrary to the 'truſt the conſtitution hath repoſed in him. The conſtitu- 'tion does not intend the crown ſhould ſell thoſe offices, to 'raiſe a revenue out of them. Is it poſſible to heſitate, whe- 'ther this would not be criminal in the Duke of Grafton

'contrary to his duty as a privy counſellor; contrary to his 'duty as a miniſter; contrary to his duty as a ſubject? His 'advice ſhould be free according to his judgment; it is the 'duty of his office; he has ſworn to it.'—Notwithſtanding all this, the chaſte Duke of Grafton certainly ſold a patent place to Mr. Hine for three thouſand five hundred pounds; and for ſo doing is now Lord Privy Seal to the chaſte George, with whoſe piety we are perpetually deafened. If the Houſe of Commons had done their duty, and impeached the black Duke for this moſt infamous breach of truſt, how wofully muſt poor, honeſt Mansfield have been puzzled! His embarraſsment would have afforded the moſt ridiculous ſcene that ever was exhibited. To ſave the worthy judge from this perplexity, and the no leſs worthy Duke from impeachment, the proſecution againſt Vaughan was immediately dropped upon my diſcovery and publication of the Duke's treachery. The ſuffering this charge to paſs, without any inquiry, fixes ſhameleſs proſtitution upon the face of the Houſe of Commons, more ſtrongly than even the Middleſex election. Yet the licentiouſneſs of the preſs is complained of!

[s] From the publication of the preceding to this date, not one word was ſaid in defence of the Duke of Grafton. We acknowledge the piety of St. James's; but what is become of his morality?

[t] And by the ſame means preſerves it to this hour.

[u] Bradſhaw.

[x] Mr. Taylor. He and George Roſs (the Scotch agent and worthy confidante of Lord Mansfield) managed the buſineſs.

[y] The plan of tutelage and future dominion over the heir apparent, laid many years ago at Carleton-houſe between the

Princess Dowager and her favourite the Earl of Bute, was as groſs and palpable as that which was concerted between Anne of Auſtria and Cardinal Mazarin to govern Lewis the Fourteenth, and in effect to prolong his minority until the end of their lives. That Prince had ſtrong natural parts, and uſed frequently to bluſh for his own ignorance and want of education, which had been wilfully neglected by his mother and her minion. A little experience however ſoon ſhewed him how ſhamefully he had been treated, and for what infamous purpoſes he had been kept in ignorance. Our great Edward too, at an early period, had ſenſe enough to underſtand the nature of the connexion between his abandoned mother and the deteſted Mortimer. But ſince that time human nature, we may obſerve, is greatly altered for the better. Dowagers may be chaſte, and minions may be honeſt. When it was propoſed to ſettle the preſent King's houſehold as Prince of Wales, it is well known that the Earl of Bute was forced into it, in direct contradiction to the late King's inclination. That was the ſalient point from which all the miſchiefs and diſgraces of the preſent reign took life and motion. From that moment Lord Bute never ſuffered the Prince of Wales to be an inſtant out of his ſight. We need not look farther.

[z] One of the firſt acts of the preſent reign was to diſmiſs Mr. Legge, becauſe he had ſome years before refuſed to yield his intereſt in Hampſhire to a Scotchman recommended by Lord Bute. This was the reaſon publicly aſſigned by his Lordſhip.

[a] (p. 215) Viſcount Townſhend, ſent over on the plan of being reſident governor. The hiſtory of his ridiculous adminiſtration ſhall not be loſt to the public.

[b] In the King's ſpeech of November 8, 1768, it was de-

clared, 'That the ſpirit of faction had broken out afreſh in 'ſome of the colonies, and in one of them proceeded to acts 'of violence and reſiſtance to the execution of the laws; that 'Boſton was in a ſtate of diſobedience to all law and govern-'ment, and had proceeded to meaſures ſubverſive of the 'conſtitution, and attended with circumſtances that mani-'feſted a diſpoſition to throw off their dependance on Great 'Britain.'

[e] The number of commiſſioned officers in the guards are to the marching regiments as one to eleven; the number of regiments given to the guards, compared with thoſe given to the line, is about three to one, at a moderate computation; conſequently the partiality in favour of the guards is as thirty-three to one. So much for the officers. The private men have fourpence a day to ſubſiſt on, and five hundred laſhes if they deſert. Under this puniſhment, they frequently expire. With theſe encouragements, it is ſuppoſed, they may be depended upon whenever a certain perſon thinks it neceſſary to butcher his fellow ſubjects.

[d] —— Sacro tremuere timore. 'Every coward pretends to be planet ſtruck.'

[e] There was ſomething wonderfully pathetic in the mention of the horned cattle.

[f] The Bedford party.

[g] The moſt ſecret particulars of this deteſtable tranſaction ſhall, in due time, be given to the people. The people ſhall know what kind of man they have to deal with.

[h] Mr. Stuart Mackenzie.

[l] A penſion of 1500l. per annum, inſured upon the 4 1-half per cents, (he was too cunning to truſt to Iriſh ſecurity) for the lives of himſelf and his ſons. This gentleman, who a very few years ago was clerk to a contractor for forage, and afterwards exalted to a petty poſt in the war office, thought it neceſſary (as ſoon as he was appointed Secretary to the Treaſury) to take that great houſe in Lincoln's-Inn-Fields in which the Earl of Northington had reſided while he was Lord High Chancellor of Great Britain. As to the penſion, Lord North very ſolemnly aſſured the Houſe of Commons, that no penſion was ever ſo well deſerved as Mr. Bradſhaw's.—N. B. Lord Camden and Sir Jeffery Amherſt are not near ſo well provided for; and Sir Edward Hawke, who ſaved the ſtate, retires with two thouſand pounds a year, on the Iriſh eſtabliſhment, from which he in fact receives leſs than Mr. Bradſhaw's penſion.

[k] This eloquent perſon has got as far as the diſcipline of Demoſthenes. He conſtantly ſpeaks with pebbles in his mouth, to improve his articulation.

T. Bensley, Printer,
Bolt Court, Fleet Street, London.